

COUNCIL MEETING

MARCH 22, 2017

The Council Meeting of the Council of the County of Kaua'i was called to order by Council Chair Mel Rapozo at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, March 22, 2017 at 8:30 a.m., after which the following Members answered the call of the roll:

Honorable Arthur Brun
Honorable Mason K. Chock
Honorable Ross Kagawa
Honorable Arryl Kaneshiro
Honorable JoAnn A. Yukimura
Honorable Mel Rapozo

Excused: Honorable Derek S.K. Kawakami

APPROVAL OF AGENDA.

Councilmember Chock moved for approval of the agenda as circulated, seconded by Councilmember Kaneshiro, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

MINUTES of the following meetings of the Council:

February 22, 2017 Council Meeting
March 8, 2017 Council Meeting

Councilmember Kaneshiro moved to approve the Minutes as circulated, seconded by Councilmember Yukimura, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Next item.

JADE K. FOUNTAIN-TANIGAWA, County Clerk: The next item is an interview for the Fire Commission, Linda Kaauwai-Iwamoto, term ending December 31, 2019.

INTERVIEWS:

FIRE COMMISSION:

- Linda Kaauwai-Iwamoto – Term ending 12/31/2019

Council Chair Rapozo: Thank you. Can you come up and take a seat? Thank you for being here today. All members have a copy of your application to the Fire Commission. With that, can you just give us a brief overview of yourself? Afterwards, we can open it up for any questions from members.

LINDA KAAUWAI-IWAMOTO: My name is Linda Kaauwai-Iwamoto. I was born and raised here on Kaua'i, then moved to Honolulu to attend a private college on O'ahu. I have three (3) children. My husband passed away seven (7) years ago and my son passed away two (2) years ago. I come from a family of seventeen (17) children, the Kaauwai family, and we were all really raised in Kapa'a. I am the youngest of the seventeen (17). When I was four (4) years old, my parents moved to Waipouli where The Bullshed restaurant is now. I remained on O'ahu for forty-eight (48) years, and then returned in 2006 to care for my mother-in-law, who of course passed away after we came home. I currently volunteer with Wilcox Memorial Hospital at the front desk. I also volunteer with the Department of Health with the Medical Reserve Corps. I also volunteer with our church, Kapa'a First Hawaiian Church, as the assistant moderator. Prior to today, I was one of the first seven (7) members on the Kaua'i Fire Department (KFD). My daughter lives here. She is a nurse with Veterans Affairs (VA). My son lives on O'ahu and he is a Disc Jockey (DJ) that travels throughout the world. I have six (6) grandchildren and five (5) great-grandchildren, the youngest is two (2) months old. I think that is it.

Council Chair Rapozo: Thank you very much. Any questions for Linda? Councilmember Yukimura.

Councilmember Yukimura: Thank you so much for your willingness to serve. You have served before, six (6) years; rested and now you are back.

Ms. Kaauwai-Iwamoto: Yes.

Councilmember Yukimura: So you are very experienced for the position.

Ms. Kaauwai-Iwamoto: Yes.

Councilmember Yukimura: Your background enables you to really represent the community well.

Ms. Kaauwai-Iwamoto: Thank you.

Councilmember Yukimura: Do you see any particular issues that you feel are challenging for the Kaua'i Fire Department or you think need change?

Ms. Kaauwai-Iwamoto: This was not only when I was a Fire Commissioner, but throughout my life, my seventy-four (74) years, I would really like to see us taxing the visitors. When the men go out and rescue the visitors, they forget that the men have families also, while they are putting their lives out for them. Even though there are signs posted and everything that the County has provided, they still do not adhere. Then I have noticed that...I travel a lot back and forth to O'ahu because my husband is at Punchbowl, so I go there once a month. I see that when the tourists come in, the television is blaring, giving them all of the information, but they completely ignore it. There are just a few that I have noticed that will stay there and watch and listen, and then sometimes they come on the radio and say that it is good information. One of them just recently said that their father almost got swept away, but the son remembered what needed to be done and he went and got his father, and reminded his father that there are signs. I wish the County would tax the people, and not only for that, but also to help the County provide more services to not only the tourists, but our local people.

Councilmember Yukimura: That is really interesting insight. You are saying you feel that the visitors should somehow pay for the service that they necessitated or cost.

Ms. Kaauwai-Iwamoto: Yes.

Councilmember Yukimura: The monitor you are talking about is the one at the airport?

Ms. Kaauwai-Iwamoto: Yes, in the baggage area.

Councilmember Yukimura: Yes, with Dickie Chang that shows the water safety instructions, right?

Ms. Kaauwai-Iwamoto: Yes.

Councilmember Yukimura: That was a really good example you gave that shows that when people pay attention to it, it actually gives them life-saving information, but that maybe we need other ways to get that information across as well.

Ms. Kaauwai-Iwamoto: I remember when I was first on the Commission, there were posters posted at the airport, and even then it did not

work. Of course now with the monitors, it sort of helps, but not really because they are not listening.

Councilmember Yukimura: A lot of people are missing it.

Ms. Kaauwai-Iwamoto: Yes.

Councilmember Yukimura: Okay. Thank you very much.

Ms. Kaauwai-Iwamoto: You are welcome.

Council Chair Rapozo: Councilmember Chock.

Councilmember Chock: Good morning. *Mahalo nui* for being here. Thank you so much for your interest in continuing to serve and being back here again for the Fire Commission. With your experience, I am sure you will have more to offer. I do have a question. In discussion about the Kaua'i Fire Department's role in the community as it relates to, like you said, the visitors and especially in jurisdictions such as State areas like the Nā Pali Coast...I see here that you were with the Department of Hawaiian Homelands in the past as well and those are also State oversight as well. We certainly respond to those and will not hesitate, not only for our visitors, but for our locals.

Ms. Kaauwai-Iwamoto: Yes.

Councilmember Chock: Do you see the need for us to continue to look for ways that we can engage our State officials and leaders in order to properly fund those responses as we move forward?

Ms. Kaauwai-Iwamoto: Yes. Thank you.

Council Chair Rapozo: Is that it?

Councilmember Chock: That is it.

Council Chair Rapozo: Thank you.

Councilmember Chock: I guess that was just more of a statement of need more than anything, but I will take the nod as, "Yes, I understand and I will work on it."

Council Chair Rapozo: Any other questions? Councilmember Brun.

Councilmember Brun: I do not have a question, but just wanted to say thank you very much for your willingness to serve.

Ms. Kaauwai-Iwamoto: You are welcome.

Council Chair Rapozo: Thank you. With that, thank you very much. I appreciate you being here and returning to serve.

Ms. Kaauwai-Iwamoto: Thank you.

Council Chair Rapozo: For the public's information and for members, Mr. Cockett's interview is going to be at 1:30 this afternoon, right after the lunch break. We will go through the Consent Calendar, and then take up Resolution No. 2017-22, which is the Līhu'e Post Office on Rice Street, and that will be followed by Resolution No. 2017-27 to accommodate the request of Councilmembers. With that, can we go to the Consent Calendar, please?

Ms. Fountain-Tanigawa: Chair, we are on the Consent Calendar.

CONSENT CALENDAR:

C 2017-66 Communication (02/28/2017) from the Acting County Engineer, transmitting for Council consideration, a Resolution Abandoning The Kapaia Swinging Bridge And Granting All Rights And Responsibilities To And In Favor Of The Kapaia Foundation, Kapaia, Kaua'i, Hawai'i, to preserve, restore, and beautify the Kapaia valley area, which includes the Kapaia Swinging Bridge.

C 2017-67 Communication (03/03/2017) from Sharon Lasker, Chair of the Committee on the Status of Women for the County of Kaua'i, transmitting for Council information, Resolution No. 2017-1, Resolution Supporting The Principles Of The United Nations' Convention On The Elimination Of All Forms Of Discrimination Against Women, to support the elimination of all forms of discrimination against women, which was adopted by the Committee on the Status of Women at its February 15, 2017 meeting.

C 2017-68 Communication (03/06/2017) from Council Chair Rapozo, transmitting for Council consideration, a Resolution Appointing Derek S.K. Kawakami As Representative And Mel Rapozo As Alternate To The Executive Committee Of The Hawai'i State Association Of Counties And Nominating Arryl Kaneshiro To Serve As A Board Member Of The National Association Of Counties.

C 2017-69 Communication (02/21/2017) from the Deputy Director of Finance, transmitting for Council information, the 2017 Real Property Assessment

List of the County of Kaua'i pursuant to Section 5A-2.2, Kaua'i County Code 1987, as amended.

C 2017-70 Communication (03/14/2017) from the Director of Finance, transmitting for Council information, supplemental property tax revenue information pertaining to the estimated reduction in real property tax revenues resulting from the Home Preservation Limit and Very Low Income tax relief measures enacted by the Kaua'i County Council, based on the Real Property Assessment Certification for Fiscal Year 2018 factored with the existing real property tax rates.

C 2017-71 Communication (03/14/2017) from the Director of Human Resources, transmitting for Council information, the March 15, 2017 Human Resources Reports, pursuant to Section 19 of Ordinance No. B-2016-812, relating to the Operating Budget of the County of Kaua'i for the Fiscal Year 2016-2017, which includes new hires, transfers, reallocations, promotions, and vacancies for the period of November 16, 2016 to March 15, 2017.

C 2017-72 Communication (03/15/2017) from the Community Assistance and Veterans Services Committee Chair, transmitting for Council consideration, a Resolution Establishing An Affordable Housing Special Advisory Committee And Repealing Resolution No. 2013-57, Draft 1, And Resolution No. 2014-34.

C 2017-73 Communication (03/15/2017) from the Director of Finance, transmitting for Council consideration, two resolutions relating to a Reserve Fund and Reserve Fund Policy, and a Structurally Balanced Budget for the County of Kaua'i.

Councilmember Chock moved to receive C 2017-66, C 2017-67, C 2017-68, C 2017-69, C 2017-70, C 2017-71, C 2017-72, and C 2017-73 for the record, seconded by Councilmember Yukimura.

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to receive C 2017-66, C 2017-67, C 2017-68, C 2017-69, C 2017-70, C 2017-71, C 2017-72, and C 2017-73 for the record was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo:

Thank you. Next item.

Ms. Fountain-Tanigawa: We are on page number 6, Resolution No. 2017-22.

There being no objections, Resolution No. 2017-22 was taken out of order.

RESOLUTIONS:

Resolution No. 2017-22 – RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO CONTINUE POSTAL SERVICES AT THE LĪHUʻE POST OFFICE LOCATED ON RICE STREET, LĪHUʻE, KAUAʻI: Councilmember Yukimura moved for adoption of Resolution No. 2017-22, seconded by Councilmember Chock.

Ms. Fountain-Tanigawa: We have one (1) registered speaker.

Council Chair Rapozo: Okay. First, Councilmember Yukimura.

Councilmember Yukimura: I would like to say a few words, but I know that the Administration was going to come as well because they are working on the issue. I was wondering if we could call them to make sure they could come.

Council Chair Rapozo: Okay. Who is supposed to be here?

Councilmember Yukimura: Mr. Rezentes, Mr. Hull, and Mr. Dahilig.

Council Chair Rapozo: Staff, can you make that call across the street? Do you have more to say?

Councilmember Yukimura: Yes. I know there were some concerns expressed at the last meeting and I just wanted to say that if the United States Postal Service (USPS) announced the closure of Kekaha Post Office to be consolidated with Waimea, or announced the closure of ʻEleʻele Post Office to be consolidated with Kalāheo, or the closure of Anahola Post Office to be consolidated with Kīlauea, we would all protest, even though not taking such actions might have a negative financial impact on the postal service. This is because the service is essential and we are one (1) island community concerned about and caring about each other. I think we need to think about the County seat, the main town of Līhuʻe in the same way because it belongs to all of us and we want to see it a thriving, vibrant place where people can come together to work, play, and celebrate, like we do with the Lights on Rice Street Parade, to do business, enjoy times with friends, like at the Kauaʻi Beer Company, and to govern and to serve. In terms of County government alone, we do not want to be surrounded by a ghost town and we want the Historic County Building and the Civic Center to be surrounded by prosperous businesses, residences, and a lot of activity. If that is our vision and our hope for

Rice Street, I feel that we must speak up for keeping retail postal services on Rice Street. That is what the Resolution is all about. We are looking for a “win-win”; a “win” for the postal service, as well as a “win” for the County. I think overtime it will become apparent to the postal service that there is power in cluster of services and mixed uses. That is why some banks are now located in supermarkets and residences are started to be located in shopping centers. This whole concept of mixed-use is what makes for a lot of economic activity. There is no real complimentary retail uses around the airport location, so it stands in isolation. I think it needs economic activity around it as much as we need services and activities in town. I am hoping that there will be an understanding that there is a growing awareness, that there is money in pedestrian and transit traffic, which the County is trying to encourage for Līhu‘e Town. I see the postal services staying on Rice Street as a win for Līhu‘e, as a win for the County, and as a win for the postal service. Thank you.

Council Chair Rapozo: With that, I see that the Planning Department is here. Do you have questions for the Planning Department?

Councilmember Yukimura: Yes. I believe they want to make a statement.

Council Chair Rapozo: Okay. I will suspend the rules. Mr. Hull.

Councilmember Kagawa: Chair?

Council Chair Rapozo: Yes?

Councilmember Kagawa: Do we have a chance to state our position prior to the public testimony?

Council Chair Rapozo: Yes, as soon as Mr. Hull is done then we can have some discussion.

Councilmember Kagawa: Okay.

There being no objections, the rules were suspended.

KA‘ĀINA HULL, Deputy Planning Director: Good morning Chair and Members of the Council. Deputy Director Ka‘āina Hull, on behalf of the Planning Department.

Council Chair Rapozo: Councilmember Yukimura said that you have statement to make.

Mr. Hull: Yes. The Līhu'e Post Office is a core service provided to Kaua'i in the heart of the Kaua'i's Civic Center area. The post office is a crucial service among many other amenities located throughout the town core. Furthermore, the post office is located in a nationally registered historic structure and preservation of the original use is crucial to any historic structure. The Department also respects the fact that the post office, while a government service, is a business. There are logistical and operational issues that every business has to overcome in order to continue operating. We have met with representatives from the USPS to discuss their operational issues concerning their current location in Līhu'e. In these meetings, the primary issue that the USPS has disclosed is not actually a financial one, but a parking issue. Given this, we are currently working with the Līhu'e Postmaster to see if we can come to any long-term solutions to provide for their parking issues. We have met with her on two (2) different occasions and we have submitted possible solutions for them to review and they are currently reviewing them right now and we hope that they get back to us shortly.

Council Chair Rapozo: So the Līhu'e Postmistress...I am assuming it is a woman.

Mr. Hull: Yes.

Council Chair Rapozo: It is her position that the move is because of parking and not financial?

Mr. Hull: Yes.

Council Chair Rapozo: Was it her decision to make the move or was it Washington, D.C.?

Mr. Hull: What the USPS has been telling us is that primarily it was initiated by the local branch; essentially, it was the Līhu'e Postmaster that initiated the process to move it to the airport side.

Council Chair Rapozo: But is it not true that the mainland, the Department, initially made the statement that it was because they no longer needed Līhu'e? We have it in the press release. They stated that they no longer need this facility in Līhu'e and that consolidation was needed. It had nothing to do with parking and now all of a sudden it is parking because the Postmistress said so.

Mr. Hull: From the meetings, that is what we have basically gotten.

Council Chair Rapozo: Staff, can you find that press release? I do not have it, but I know what I read. I am just kind of surprised now that the local post office is saying that it is not a financial issue.

Mr. Hull: I do not want to speak for the post office...

Council Chair Rapozo: Well, you just did.

Mr. Hull: No, I am just conveying what the result of our meetings has come to.

Council Chair Rapozo: Right, but you are saying that is what she said, so you are speaking for her. I am just saying that was not the issue or the reason in the beginning. I do not think that the Līhu'e Post Office or any Kaua'i Postmaster or Postmistress has that kind of power to move a facility because of parking. I question that. That is just my own personal opinion. I know what I read and the parking issue was not the reason for the consolidation. Councilmember Brun.

Councilmember Brun: So are we giving them plans on where to park? I just went there yesterday and there are five (5) stalls on the side of the post office, three (3) in the front, and one (1) handicap parking. Our whole County parking lot is full with cars.

Mr. Hull: There is an array of different possible solutions. We also met with the surrounding property owners to look at possible improvements to the way circulation is handled in there. Right now, the two (2) banks each have one (1) driveway and the post office has one (1) driveway. There are ways in which circulation can be redirected so that the way they function can be much more amenable to provide more parking solutions. There are also potential solutions to have more on-street parking, because right now there is no on-street parking across the road; just in front of the post office. There are also potential solutions within the County's own parking lot. Right now, there are a lot of cars there, but there are a lot of cars there that are parking that have, I will say, "other parking opportunities"; however, they are using the County's parking lot. There is an array of different solutions. At the end of the day, it has to work for the Postmaster and the post office. We have entered into those discussions and dialogues. We have presented possible solutions and they are weighing them to determine whether or not it will meet their needs. At the end of the day, if it does not meet their needs then it does not meet their needs, but we are at least trying to say, "There are possible solutions. Here are some. Do you have any other things you folks want to discuss concerning these parking issues?"

Council Chair Rapozo: Councilmember Yukimura.

Councilmember Yukimura: Thank you very much for working on the parking problems because at the hearing, which was held or sponsored by the postal service, they did say that parking was the main issue. So are you working on an agreement that you are hoping will be made between the postal service and the County?

Mr. Hull: It is a possibility, but I also do not want to weigh out the potential of still being able to provide the parking opportunities in the vicinity of the post office.

Councilmember Yukimura: There was some concern expressed in the testimony that we received about the safety of crossing Rice Street. Will that be addressed in part by the Transportation Investment Generating Economic Recovery (TIGER) grant?

Mr. Hull: Yes, the TIGER grant reduces that particular area. Right now, it is a four-lane road, which there is significant concerns from the community about crossing that, and we totally understand that. With the TIGER grant improvements, it gets reduced down to two (2) lanes, I believe, with a little turn lane, which makes it a bit easier to cross, and particularly on one of the intersections we are going to have one (1) lane crossing and then a "rest area," essentially a place where they can stop and wait for the other lane of traffic and cross much more easily. Those improvements are proposed in the TIGER grant.

Councilmember Yukimura: If you have an agreement with the postal service, are you planning to present it to the Council then?

Mr. Hull: Some opportunities, like providing on-street parking or say if we have to go into an exclusive grant of a few stalls from the County parking lot, would actually require a resolution by the Council. So those types of opportunities we would have to come for your review. For other opportunities, if we are able to come to some type of agreement with just the traffic circulation on their property that provides more parking, that would not require an action by this body, but we could update the Council, should that solution be the one that they arrive at.

Councilmember Yukimura: What is your timetable for hopefully getting an agreement with the postal service?

Mr. Hull: It is really in the postal service's hands. We have proposed a few ideas and it is kind of in their court. We have to have further discussions with them, but I know that their decision needs to be made within the

next month or two (2) for them to proceed. I think the timetable, just given their timeline, is relatively short.

Councilmember Yukimura: So is it the Administration's hope to get some kind of an agreement that will influence the postal service's decision, maybe within a month?

Mr. Hull: We hope, but at the end of the day, it is up to...if the post office has more time to discuss the solutions, we are open to having more time and more discussions, but it is just whether or not they have that time from their headquarters and the mainland, whether or not they have to fish or cut bait, essentially.

Councilmember Yukimura: Okay. Thank you.

Council Chair Rapozo: I have a Planning question. Should the post office sell the building...whoever buys that building has to keep that building in that same...they cannot alter the building, right?

Mr. Hull: Correct.

Council Chair Rapozo: Much like when we did the renovation to this building. You cannot go in there and rip out a wall. Regardless of what is inside of that building, the building will not change. Is that correct?

Mr. Hull: There are ways in which you can alter a historic structure, but it is a very thorough process. More than likely indeed, given the regulations for nationally recognized properties, not much, if any, would change to the exterior of the building. You can do interior vetting, depending on the type of nomination you have. I have not looked specifically at their nomination to see if interior alterations are possible, but they may be. But for all intents and purposes, the building is going to be there.

Council Chair Rapozo: Right. That building, as you walk, drive, or ride your bike past, is not going to change. It is not going to alter the look of Līhu'e Town, regardless of what is inside of the building. I think I heard you say that you have talked to some business owners, but is there possible interest in who might purchase that building—have you heard of any?

Mr. Hull: Yes, I can say off the record that I have had discussions with one (1) interested party. When he found out that the assessed value that they are going for is two million dollars (\$2,000,000), he jumped and said that he is no longer interested. I did talk to one (1) interested party.

Council Chair Rapozo: Okay. Any other questions? Councilmember Kagawa.

Councilmember Kagawa: For me, it is kind of difficult to hear that the Planning Department dismisses the fact that it is not a financial decision at all. Do you know how much the postal service loss last year? They lost five billion six hundred million dollars (\$5,600,000,000).

Mr. Hull: Yes...

Councilmember Kagawa: Do you know how much they loss the previous ten (10) years? They lost forty-seven billion dollars (\$47,000,000,000). I think when you folks just come out and say, "Well, we talked to the Postmaster and she said it is not a financial decision." We have President Trump. He is trying to cut everything besides the Department of Defense. The postal service is losing five billion five hundred million dollars (\$5,500,000,000) per year, and to say that with President Trump there that it is not a financial decision at all—I think we have to dig deeper if we are going to say that. I think everything in the Federal government is at financial risk of being cut right now with President Trump. Those are the facts.

Mr. Hull: Yes, speaking to the five billion seven hundred million dollars (\$5,700,000,000), the USPS is also in this weird congressional requirement that they have to pay for their retiree benefits seven (7) years in advance. It is kind of an accounting trick that the congressional delegations did in order to use some of those moneys for congressional operations actually. For the most part, as I understand it, it still is balancing out, but that requirement to go seven (7) years in advance often looks like a negative on their books. We even had that discussion with the representative from the USPS that came down from the mainland. He actually made a point to talk about this seven (7) year thing and I can say that the statements that they made to us were that it is not really a financial issue; it is parking issue. The only reason I state that is because if it is a financial issue, quite frankly, there is nothing the County could do. Because they are saying that it is primarily a parking issue, we are saying, "Well, if it is that and it is not a financial issue, then perhaps we can work with you folks to find a solution." I was not trying to make a statement that it is not financial. Because that was the reason really given to us as the primary reason, we can say, "Well, possibly we may be able to find some solutions." If they just said, "Indeed, this is purely a financial decision," I think the Planning Department and the Administration will just have to back off and say, "We understand that and there is nothing much we can do," but because it is parking and if it truly is parking, then perhaps our solution is to be found.

Councilmember Kagawa: So if the solutions are just parking, do you need this Resolution to find the solutions for the post office?

Mr. Hull: No.

Councilmember Kagawa: This Resolution does not authorize you to go and find solutions for the post office, right?

Mr. Hull: No.

Councilmember Kagawa: My question is why are we wasting our time trying to figure out what the post office wants to do and why they are doing it when they are the Federal government? We have a lot of big issues right here before us, a lot of Planning ones, too. Thank you.

Council Chair Rapozo: Councilmember Yukimura.

Councilmember Yukimura: Ka'āina, would it not be good for the Council to express support for keeping the post office on Rice Street?

Mr. Hull: Yes. As a matter of fact, the Department has issued a letter supporting keeping the post office on Rice Street. The Mayor has issued that letter. The Administration is supportive of keeping it there; however...

Councilmember Yukimura: Would it not be good to also have the legislative body support it?

Mr. Hull: I will leave that to the legislators.

Council Chair Rapozo: Is there any statement made from the USPS that cites the fact that the reason for the move is parking? Is there anything in writing?

Mr. Hull: We do not have anything in writing, no.

Council Chair Rapozo: Right. "This property has been determined by the postal service to be excess and is no longer necessary for postal operations." That is the reason for the move, the consolidation. That is what we have in writing from North Carolina. Like Councilmember Kagawa said, if parking is the issue then dedicate five (5) or six (6) stalls right across the street in our parking lot and we are done.

Mr. Hull: Yes.

Council Chair Rapozo: Did we make that proposal to the post office?

Mr. Hull: That is among one of the proposals, a possible solution.

Council Chair Rapozo: Okay. I would assume that if parking was the issue, as Councilmember Kagawa said, then they would say, "Yes, we will take the six (6) stalls and we can keep the post office open." It may be a mix. Is it possible that once they heard from the community that now they are saying that parking is an issue? That was not the issue. I just want to make that clear that was not the issue when this started. The Federal government said that we have a property that is in excess and because of our fiscal situation we are going to consolidate some operations. Is that not what they said?

Mr. Hull: Yes, the statement that was posted on the post office bulletin, the only notice that came out, indeed, that is what was stated. Like I said, just from subsequent meetings with them, this was stated by both the national representative, as well as the local representative.

Council Chair Rapozo: But nothing in writing?

Mr. Hull: We have not gotten anything in writing.

Council Chair Rapozo: Thank you. Any more questions for Ka'āina?
If not, thank you.

Mr. Hull: Thanks.

Council Chair Rapozo: Is there anyone in the audience wishing to testify on this?

Ms. Fountain-Tanigawa: Chair, we have registered speakers.

Council Chair Rapozo: Councilmember Kagawa, did you want to have discussion before we take the public testimony or do you want to do it after?

Councilmember Kagawa: I can do it afterwards.

Council Chair Rapozo: Okay. With that, can you call the first speaker, please?

Ms. Fountain-Tanigawa: The first speaker is Marj Dente, followed by Matt Bernabe.

Council Chair Rapozo: Good morning. Thank you. Can you just state your name for the captioner?

MARJ DENTE: My name is Marj Dente. I live in the Olohena *ahupua'a* and I am here to speak about the importance of having this post office stay here. This is a matter of permanence. Everything is so up in the air today, people's lives are "willy-nilly" about a whole lot of issues. To take away a building that has so much significance in people's lives, particularly the residents of Līhu'e—many people walk to this post office because they want to walk or they do not have a car. Moving the main post office over to the annex would require many people to get into a car, if they had one, to get the services for the post office. More importantly, I served on a planning commission on another island in the northwest for a long time. We had the issue of exactly what is happening here with the post office—not enough parking. So what our city did at that time is we made a boundary adjustment to land right next to the existing post office to give enough room to build a brand new post office on the same property and get enough parking. It has kept that community together. I visit there often. Had we moved the post office five (5) miles out of town, that little town would have been just decimated, because as many people have expressed here and in the newspaper, the post office is where people greet people for years and years. It is such a statement of permanence in their heart, their lives, and their families. To me, this is the issue. If this post office on Rice Street is removed, it is going to remove the heart of Līhu'e and maybe the whole island. I want you to consider the word "permanence." It is so important in our lives today. If anybody has any questions, I would be happy to help.

Council Chair Rapozo: Thank you.

Ms. Fountain-Tanigawa: The next registered speaker is Matt Bernabe.

MATT BERNABE: Good morning everybody. Matt Bernabe, for the record. I testified in favor of the Resolution, and I still am in favor, because it is just a paper saying that as a body that governs this community, we support a sector in our community. Since the last time I testified, I went and started asking people the question, and to my surprise, overwhelmingly with serious emotion, probably because everybody is polarized, they were in favor of moving the post office. Then I asked them, "Where does your mail come? Do you have a post office box in Līhu'e?" They said, "Oh, no. I do not even live in Līhu'e." But there is a drop-off box because I was ignorant that there was even a drop-off box. Apparently, there is a drop-off box at the site that it is going to be moved to. They were like, "Yes, I would go there more," and that is fine and dandy, but then I started to think about this in a different way. Even if we move this post office, we have to have a contingency for the community at risk. So we need to somehow retain or advocate for at least retaining those post office boxes and maybe expanding a little bit. Maybe that has

to be in the contract or something. We have to have something because Puhi, which my wife is from, and I remember using Puhi Post Office, which is ironic because the way I run my style is I put the thing in my car and I forget to go wherever and wherever I end up, that is where I go to the post office. I practically utilize a lot of the post offices on this island. I used to use Puhi and I use Līhu'e a lot because I am always in Līhu'e. The parking issue is ridiculous because I go there and they are so fast that, yes, you may have to sit and maybe somebody has to sit in the car, but I have never really seen a problem and I use it all of the time. It is super flexible. It is almost "as Kaua'i as why," and I love it. I am in the middle on this, because it would be more economic for the post office to move and it would probably get more service from other communities, but as Councilmember Kawakami said, he would go to bat for anybody in any community and I feel that even if I lived in Hanalei or Kekaha, I would support this Resolution. I also agree that it should not have taken two (2) sessions. This should have been voted on once, 7:0. It was an automatic in my opinion. I will leave it at that, but somehow we have to protect this community that is about to lose this service. Thank you.

Council Chair Rapozo:

Anyone else wishing to speak? Mr. Mickens.

GLENN MICKENS: For the record, Glenn Mickens. This is a relatively simple situation for me. It is a government-run operation; they basically can do what they want with that post office. We cannot interfere with it. Their concern seems to be parking and safety of the public. Who can argue with that? We are going to talk about historical importance being more than that? A meeting place for people? They do not have to have that place to meet. If there is an endangerment over there for the people, for traffic, somebody getting hit while walking across the street, I see no reason for not letting the government do what they want. They evidently researched this issue. Remember when we sat here talking about Walmart and Kmart and the stores moving—we cannot tell them where to move. They have their permits and they can move where they want. Council Chair Rapozo, I think you brought it up before. We cannot tell them where to go and what to do; that is their business. They have their permits so they can do what they want. Again, it is the government's post office, not ours, and to say that we are going to "rejuvenate" Līhu'e—we are not going to rejuvenate Līhu'e. All of these people have moved out of here...Big Save moved out of here...they are not going to be able to come back here. This talk about it is rhetoric more than anything. Thank you.

Council Chair Rapozo:

Thank you. Anyone else? Mr. Rosa.

JOE ROSA: For the record, Joe Rosa. I am speaking as a resident of Līhu'e for eighty-four (84) plus years, way before Councilmember Yukimura's time. The reason why, when I read between the lines, they want to close the post office...I do not think we have any rights. That is what the County

should look into. What the postal service is trying to do is cut down expenses. To have two (2) post offices within a one (1) mile radius is something that is not feasible for the post office. Who are we to tell those people how to cut down expenses when we cannot do it ourselves here within this County? Think about it. The Līhu'e Post Office was in the old Tip Top building, and then they moved to where it is. I can tell you who the Postmaster was at that time: Martin Dreyer. They are faced with problems over there. I talked to postal workers and they say that they have to cut expenses. That is coming from the top, that is Washington, D.C.; not Līhu'e, Kaua'i. Just this morning before I came, on the news...I am going to drift away to show that progress cannot be stopped. Sears Roebuck, a tenant of Ala Moana Shopping Center, is talking about closing. It is a (inaudible) over there, from when Ala Moana was first opened. Those are the kinds of things that are going on here, locally. It is a good example that we look into it ourselves as a County to cut expenses. That is the reason. They have two (2) things within one (1) mile radius and they are saying it is expensive. They have a bigger building at the airport, which was big and expanded and there is no problem for parking. Yet, over here, I have seen the pick-up service not being able to get in the back to unload and pick up the mail because there is a handicap stall there and another handicap car parked right on the side at one time. The truck driver who is picking up the mail has to wait. So you tell me if there is enough parking and all of that. It is one of the problems. I talked to a person that went to the bank and she was walking to go to the post office. Why does she walk? Because she cannot come with the car to park at the post office and that happens sometimes on rainy days, which is when she has to use the car. It is hard to find a parking space, she claims. It is a major problem.

Council Chair Rapozo:
there. Your time is up.

Mr. Rosa, I am going to have to stop you

Mr. Rosa:
they have a right and the County should look into cutting expenses themselves. Thank you.

We cannot stop progress. To me, I think

Council Chair Rapozo:

Anyone else? Mr. Taylor.

KEN TAYLOR: Chair and Members of the Council, Ken Taylor. I speak in favor of the Resolution for a number of reasons. First of all, back in 2010, the Council approved a core plan revitalization of the Līhu'e Rice Street. Communities all over the country have resolutions that state and federal buildings will be in downtown facilities and big mistakes that were made here on Kaua'i is allowing the State to move the courthouse to where it is currently at. It should have been rebuilt here in the immediate area someplace. The grocery store leaving the area was a big mistake and should be replaced. Now, we do not need to make another mistake, at least suggesting to the postal service that they continue service

here at their current location. There are some problems and we know that, but those problems can be resolved. This Resolution, as I understand it, is only asking them to consider continuing service at this location. They are going to make the final decision regardless of what we say. There is absolutely no reason not to ask that they consider doing this. The community I came from spent twenty-two (22) years fighting the state of California on how one of the major highways in the state, north/south highway, went through town. I do not believe that this community would have the political will to fight the state on something like that. For twenty-two (22) years they fought and they finally came to a compromise. We were between Los Angeles and San Francisco, three hundred fifteen (315) miles. We were the last city to eliminate stoplights on that major freeway. You have the need to be the planners for the future of this community and that is what this is all about. Thank you.

Council Chair Rapozo:

Anyone else wishing to testify?

CHAD DEAL:

Good morning Chair and Councilmembers.

My name is Chad Deal, the Government Affairs Director for the Kaua'i Board of Realtors, representing over six hundred (600) members. The Kaua'i Board of Realtors have been very active in supporting the downtown Līhu'e revitalization in that core area. We feel that it is in keeping with the General Plan, which is against the County sprawl and to try to keep more of our population within our core areas that have already been developed. We feel that at this time we would like to support the Resolution, even though as other testifiers have stated that this may be a done deal, as far as the Federal mandate goes from the post office. We feel it is an integral part of keeping the Līhu'e Post Office in the spot where it is to help to keep the idea of revitalization of the downtown Līhu'e core area alive and well. Thank you very much for this opportunity to testify.

Council Chair Rapozo: Anyone else? If not, I will call the meeting back to order. Further discussion? Councilmember Kagawa.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: Thank you, Chair. I think that when it comes to the County Council, we need to be responsible in dealing with issues in the proper manner. I think as elected leaders, we show the community the proper way to use government and try to convey their messages of concern. I stated before that the best way for the community, for the public, and for us to communicate our concerns of a Federal government issue is to work with our congressional delegation, the ones that we vote for on Kaua'i, which would be Senator Mazie Hirono, Senator Brian Schatz, and Representative Tulsi Gabbard. We had a meeting during our National Association of Counties (NACo) Conference where we

met and Councilmember Kawakami mentioned to Senator Hirono, Representative Hanabusa, Senator Schatz, and Representative Gabbard the fact that this was a hot topic on Kaua'i that many residents were concerned about the move. I think that message was already conveyed by this Council that the appropriate members that have a hand in making the decision knew that there was concern on Kaua'i and this came from us, the elected officials, and we were all together...well, at least five (5) of us were. We already sent that message. To actually pass a resolution that tells the postal service what this elected body wants is not appropriate. Let us respect our public. Our public has more power than any of us. We do not want the federal government, congressional delegation, or our state delegation on issues that pertain to us...where we have a hand in making a decision, we do not want them telling us what to do. It is about respecting the separation of powers, respecting the elected bodies to hear the voices of the public. I do not think this Council should be, for example, with the state legislature, on every item that they have we should pass a resolution to say, "We think you folks should vote this way." I do not think it is appropriate. We personally can submit those concerns that we have to our respective leaders by E-mail or a phone call, as though we are members of the public. We do not put this kind of resolutions pertaining to other sectors of government, while we do not have all of the facts on why they are closing. To me, it is a waste of time, it should not have been here, and it is just mere pandering. I kind of relate this issue to Bill No. 2491, the seed company pesticide bill. Again, it was the wrong venue to have the discussions. We have had members of the public saying, "Do not close the post office," in an E-mail to us, but it is not our decision. Why be angry at this body? This body is not making that decision. We are not elected to make that decision regarding the post office. To generate this kind of hatred and emotion to this Council is ridiculous and that is why I am going to vote against it. It is just mere pandering by Councilmember Yukimura of trying to put a nonsensical issue on this Council agenda. I hope this will teach her that these kinds of resolutions will get shut down because we should be dealing with County business. We have a lot of County issues before us, very important ones. Perhaps, if you have so much time on your hand, go and spend some time finding some cuts as one of the testifiers said, to cut the fat from this County budget. That is how you can help this County going forward. Thank you, Chair.

Council Chair Rapozo:

Councilmember Yukimura.

Councilmember Yukimura:

I want to ask for a ten-minute recess.

Council Chair Rapozo:
ten-minute caption break.

Okay. With that, we will take our

There being no objections, the meeting recessed at 9:22 a.m.

The meeting reconvened at 9:33 a.m., and proceeded as follows:

Council Chair Rapozo: We will call the meeting back to order. Any further discussion? Councilmember Kaneshiro.

Councilmember Kaneshiro: As I mentioned last week, I was not going to support it and I still feel the same way. My "no" vote is not to say that I want the post office to move. This is not our decision to make and I personally see people come in and attack Councilmembers on this decision that we do not even have any skin in the game on. As I said last week, there are pros and cons. We hear it here in the Council Chambers right now that some people want it to stay and some people want it to move. It is a very difficult decision that is not our decision to make. Last week, I said I was not going to support it and I am still not going support it. I think the word that comes to me is "opportunity." When we do not have a decision in this, we are here to just see what type of opportunities will arise. Ka'aina came in and said, "There might be an opportunity to keep it." If parking is an issue, then they will work on a parking resolution. When that resolution comes to us, that is when we have skin in the game and that is when we decide, "Do we want to accommodate the post office with parking or not?" I think that is something we should spend our time on if that comes to us. I do not think a resolution like this is going to do anything. For people to say that if the post office is not here, Rice Street is dead, I think, is very hypocritical because I hear the same people that were in favor of the TIGER grant saying that the post office is going to kill this whole area. For me, I voted for the TIGER grant and I think the TIGER grant came in to provide economic recovery to the area. So it would be kind of hypocritical for me to say that the TIGER grant is going to go in, but we need the post office to stay there because that will keep everything there. For me, it is opportunity. The TIGER grant is going to come in. That building has to stay the way it is; it is an old, historic building. What is the opportunity there? You see opportunity along this whole Rice Street. You see Hā Coffee and their parking lot is full all of the time. People go there to grab coffee and people meet there. That is something that draws people there. Why are we going to say that we have to keep the post office there to keep this whole place successful? For me, it is opportunity. If it works out that the post office stays there, I am completely happy that it stays there. If it works out that the post office has to move, I am going to be looking at what the next opportunity is there. It is right next to the County building. Would a restaurant want to go there? With the TIGER grant, the crosswalk is going to be a lot safer. People are not going to have to cross four (4) lanes of traffic; they will only have to cross two (2) lanes. They may feel safer walking across, eating lunch there, and coming back. I do not want to stop opportunity. If it was our decision, we would take the vote on it, but it is not our decision. A lot of the focus has been focused towards the Councilmembers and I do not think that is fair to us, especially when we do not have skin in the game on this. I am not going to vote for it. It is not a vote to say that I want it moved there. Again, my vote is that the focus should be where it should be. We take that and we look at the opportunities, the opportunity

to either do a resolution to create parking that may keep them there, if that is only reason why they want to move, or the opportunity to say, "Hey, the TIGER grant is going to go in. Let us see the potential for that building." People may want to come in and say, "That is a great building to do a business venture that can bring people there and continue to stimulate Rice Street." That is just my opinion on it. The one thing that I think was bad is we saw a lot of fighting. We hear it here, even in the Council, people in the crowd fighting with each other about the decision and I have seen it in the public and in the newspaper with people getting mad at us over a decision that is not even ours.

Council Chair Rapozo:

Any other discussion? Councilmember Brun.

Councilmember Brun: For me, I feel the same way as Councilmember Kaneshiro. It is not that I want this place to move, but it is just that it is none of our business to be voting on this and that is why I will be voting "no." I went there yesterday and within the five (5) minutes, I saw three (3) cars come in, park in the bank parking lot, walked out, walked to the post office, and walked back. I talked to the banks and they do not approve of it and we never checked with them if they approve it; they are using their parking lot. I want to commend the Administration for working on this parking situation. Right now, even in the County parking lot, there is no parking. So designating some stalls would be a good thing. The TIGER grant, if we are waiting for that...who knows when that is going to happen? I am voting against it just because it is none of our business and we should not be getting involved with this. I commend the Federal government for trying to combine services to save money. Like Mr. Rosa said, we should be doing that here at the County. We have a big budget that came in and we are going to have to nitpick on everything in it to see what we can cut or what we can put down. I commend the Federal government for doing that and trying to save money. I think it is dangerous with the parking stalls that we have there right now. I am not going to support it.

Council Chair Rapozo:

Councilmember Chock.

Councilmember Chock: Thank you, Chair. I agree with a lot that has been said. I guess I feel less strongly about the move than a lot of other people who have spoken up, because I understand, one, that there are probably financial considerations to be vetted, as well as public safety and parking issues on behalf of the post office. The other thing I agree with is that truly, we do not have the oversight to make anything really materialize. I would like to commend the Administration and the Planning Department who, I think, has stepped up and really said, "We want this and we are willing to help out in trying to come up with a solution." I think that is really how we really solve some of our issues. That is the kind of problem solving I look forward to. However, I do feel that while we do not have the kind of power to make these decisions that we do also stand for those in

the community that have a voice and want to be heard. In that sense, I am willing to support the request, of which this Resolution has to offer. Certainly, the building will remain where it is intact, no matter what happens. I agree that you cannot stop progress. When I listen to the people who have spoken up, which there have been many, those from the local community, those from Līhu'e, and what their interest is, then I can certainly put my name behind it to say, "If that is something that is important to you, then I am willing to support it." I will be voting in favor of the Resolution. I just wanted to be clear with the community that I think there is a lot of expectation that we have the power to accomplish this, and the truth is, like many who have said around the table, that is probably not as true as you would like it to be. That does not mean that we should not stand up for those things that you say is important. Thank you.

Council Chair Rapozo:

Anyone else? Councilmember Yukimura.

Councilmember Yukimura: This thing about "it is not within our power, and therefore, we should not be speaking out," rings so hollow when you think about the resolution we passed asking the State Department of Transportation to take a really aggressive role in solving the traffic problem on state highways; when we even passed a resolution railing against the high airfares of Hawaiian Airlines. We have passed many resolutions asking Federal and State agencies and governments to do something that will help our community. That is part of our leadership role here. This is a perfectly legitimate resolution asking very respectfully the United States Postal Service to continue postal services at the Līhu'e Post Office on Rice Street. It is not our job to speak for the postal service. It is our job to speak for this island and this town, and indeed to fight for the people and businesses in Līhu'e. We also, as the legislative body of the County, have to speak for the County. We do not want this scenario where our county government offices are surrounded by a ghost town. That is the possibility as services begin to leave the town. "We are respectfully requesting and strongly urging the United States Postal Service to reconsider and revoke plans to relocate postal retail services." I think in the long run, the postal service itself will benefit from staying in the heart of Līhu'e, except that at this point they are only thinking in a one-track manner, and also possibly influenced by that accounting problem that Ka'aina Hull mentioned. I think it is very appropriate and it makes me sad that we are not able to speak for what will be good for Līhu'e and for the island.

Council Chair Rapozo:

Thank you. Any other discussion? Well, let me just say, and I have heard it said by a few people today that said, "A resolution is just a piece of paper, so it really does not matter what happens," but a resolution is not just a paper; a resolution is a "policy statement" of this body, meaning that this body believes that the vast majority of people in this County believes that way or we believe that the vast majority of people. It is not just a paper. The traffic resolution and the Hawaiian Airlines resolution that were brought up...maybe I am

wrong, but did any Councilmember or did any of you in the public hear from somebody that came up and said, “No, I like the traffic, I enjoy the traffic,” or, “No, do not mess with Hawaiian Airlines because I love paying the high fares. I like paying the baggage fees.” No. That is the difference. Maybe for most of you, you get the read the paper, so you see the letters and the letters are all saying, “Save the post office. Councilmembers, get your heads out of your butts. Do the right thing,” like we control that. I can honestly tell you that this is a divided issue. I got an E-mail from someone that said, “I do not live in Līhu‘e, I live in Kapa‘a. But I think that going to the post office by the airport would be so inconvenient.” That makes absolutely no sense, and I do not know if you are here in the audience or watching on television. You come from Kapa‘a, straight-shot to Kapule, make the left turn, park in a nice stall, go into a beautiful building, do all of your business—that is convenient. You come to Kapa‘a...turn right, come through Ahukini, go down into the traffic of Rice Street, hopefully find a parking space, if not go and steal one from the bank, run in, and stand in line—is that more convenient? That is what happens when you get an emotional issue like this. People start thinking and creating the story to fit the position. The whole revitalization issue is a different issue. That is, to me, irrelevant in this matter, because you have an institution like the United States Postal Service that has made a decision. All of a sudden, it is a parking issue. It was not a parking issue; I read it earlier. This property has been determine by the postal service to be excess and is no longer necessary for postal operations. They are consolidating. If parking was an issue and if our Administration went over there and said, “Hey, Postmistress, since you have the total control of this process, we will give you six (6) or seven (7) stalls across the street.” If parking was the issue, she would say, “Thank you, County.” The County drafts the resolution, it comes here, and within three (3) weeks we get it passed and they get six (6) stalls—problem solved. The reality, whether you want to believe it or not, is that it is not about the parking. If it was...Puhi...there is no parking problem. Puhi is perfect...plenty of room and they shut that down. In Hanamā‘ulu...I used to go to the Hanamā‘ulu Post Office because you had parking, but parking was not the issue and they shut that down. All of a sudden, the Līhu‘e Post Office is closing down, not because of consolidation or the financials, but because of parking. I find that very, very difficult to believe. I have been here a long time and sometimes I just have to trust my gut. Big Save moved...people were all in an uproar, “It is going to destroy Līhu‘e if they leave our only grocery store. It is going to destroy the character of Līhu‘e.” They left because it was a financial decision. A suggestion was made to make boundary adjustments and the scenario of the highway going through California—what has that got to do with Līhu‘e Post Office? We do not own land. Where are we going to boundary adjust? What are we going to do? Condemn the Bank of Hawai‘i? “Sorry, we are going to take your parking lot because the Līhu‘e Post Office must stay.” Let us be real. That is the hardest thing about this job, being real, because people take it in the wrong way. You have to understand that we are speaking for the entire County, not for the few that believe that this is...I am like Councilmember Kaneshiro...I would love to see

that thing to stay there, but I think you have to really understand that it is out of our control and that there are people on this island, whether you want to believe it or not, that believe that the move is actually a good thing. The future business that moves into that will have the benefit of a...my red light is up. Anyway, Councilmember Yukimura.

Councilmember Yukimura: I do not know if we need to know what the vast majority is because we do not know what the vast majority feels on this island. But if you look at the written testimonies supporting it, there are fifteen (15) that support it, zero that oppose the Resolution, and four (4) "other" that speak about different concerns. That is an indication that there is a lot of support for it. I think the main question is what is good for this community? What would work best for this community? Keeping the postal services on Rice Street, I believe, would be the best for the community, because as Big Save closes...to this day, I hear people saying that we need a grocery store in this part of Līhu'e and there are some of us who are trying to work on that. We need postal services. We need this diversity of core services in order to make it work. It does not get destroyed overnight; it is one by one, by one. It is a gradual process. What we are trying to do by keeping the post office in Līhu'e is to begin to reverse the process, keep the postal services, do the TIGER grant, and try to encourage investment in the town core so that we can have a really viable town core and County seat. I think that is our main job, to say what we want and need, not what the postal services want and need. We need to let the postal service know how we will be impacted and why we want them to stay. I think this Resolution does it.

Council Chair Rapozo: Thank you. With that, the motion is to approve. Roll call.

The motion for adoption of Resolution No. 2017-22 was then put, and failed by the following vote:

FOR ADOPTION:	Chock, Yukimura	TOTAL – 2,
AGAINST ADOPTION:	Brun, Kagawa, Kaneshiro, Rapozo	TOTAL – 4,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Motion fails, 2:4.

Council Chair Rapozo: Can I get a motion to receive, please?

Councilmember Kagawa moved to receive Resolution No. 2017-22 for the record, seconded by Councilmember Kaneshiro, and carried by the following vote:

FOR RECEIPT:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6*,
AGAINST RECEIPT:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kauaʻi, Councilmember Yukimura was noted as silent, but shall be recorded as an affirmative vote for the motion.)*

Ms. Fountain-Tanigawa: Motion passes.

Council Chair Rapozo: Thank you. We took a late caption break, so we can move on to the next item.

Ms. Fountain-Tanigawa: Chair, the next item on page number 6 is Resolution No. 2017-27.

There being no objections, Resolution No. 2017-27 was taken out of order.

Resolution No. 2017-27 – RESOLUTION ESTABLISHING AN AFFORDABLE HOUSING SPECIAL ADVISORY COMMITTEE AND REPEALING RESOLUTION NO. 2013-57, DRAFT 1, AND RESOLUTION NO. 2014-34: Councilmember Kaneshiro moved for adoption of Resolution No. 2017-27, seconded by Councilmember Chock.

Council Chair Rapozo: We are on Resolution No. 2017-27.

Councilmember Kaneshiro: I just wanted to check because my agenda says that Resolution No. 2017-27 is supposed to be taken at 1:30 p.m.

Council Chair Rapozo: Did I call the wrong item? The item to be taken at 1:30 p.m. is the Kapaia Swinging Bridge Resolution, Resolution No. 2017-23.

Councilmember Kaneshiro: Okay. I was looking at the wrong item. Sorry.

Council Chair Rapozo: Okay. Resolution No. 2017-27 is on page number 6, item number 6. Any discussion? Councilmember Chock.

Councilmember Chock: I understand that we have a new housing committee with this interest to get this advisory committee back together and I just wanted to get clarity because I was part of the previous advisory committee and I

know that there was some work that was done previously as well in this committee. Some people were on this newly-formed committee and some people are not from the previous one and I wanted to make sure that there was clarity about how we are moving forward with the transition.

Council Chair Rapozo: Let me start by saying that I had tasked Councilmember Brun to get a resolution in. I think Resolution No. 2013-57 and Resolution No. 2014-34, which were the two (2) prior resolutions—the way it works on this Council is the Council has to do a resolution if they want to form a sub-committee, and that sub-committee is only as good as the resolution is and the resolution comes with a termination date, which has since passed. So my task to Councilmember Brun was to get with staff, get a resolution together, and put together the task force. I strongly suggested to him that they get recommendations to this body within six (6) months. This committee has been in effect since 2013, 2014, 2015, and 2016. Everybody says that we have an affordable housing problem; I do not care where you go. This committee, which has done a lot of work, and I have spoken to a few of the members that are remaining on, they want to get something before the Council and that is what the task to Councilmember Brun was. He worked with staff to get this Resolution in place and that is why it is before us today.

Councilmember Chock: Thank you, Chair.

Council Chair Rapozo: From what I understand from prior members or members from the former committees is that the majority of the work has been done and there are a few items that need to be worked on, and that is what I am asking this sub-committee to do, to work on that and get the recommendations to this body, so that we can have the productive discussion here on the table so that we can actually see some progress. It is just too big of an issue to just keep having a sub-committee year after year, after year. In fact, I had some responses from members saying, “We just go in circles. I do not want to even serve on this committee anymore. We just go in circles and nothing gets done.” We are hoping that with this new direction that in six (6) months we will have some recommendations here so that we can have the public discussion. Councilmember Brun.

Councilmember Brun: Going forward, we are going to take what is already in place. We are not going to redo everything. I know a lot of work was done, working with yourself and Councilmember Yukimura. We will work together and see what we already got done and move forward and try to get this thing done. It has been sitting for I do not know how long now and we just want to finish it and get it in. I think we have a date of March 15, 2018. We talked to a lot of these committee members and they are ready to go and willing to go, so we want to get this Resolution going forward so that we can finish an affordable housing resolution

and get it forward to this body. We are going to take all of the input and see how we can go forward from there. Thank you.

Council Chair Rapozo:

Councilmember Yukimura.

Councilmember Yukimura: So as the former Housing Committee Chair and as the person who has been leading the Affordable Housing Advisory Committee, I will be supporting this Resolution because we all have the same goal. I feel that a lot of work has been done by the committee. I really want to thank the members who have been showing up over and over again. It took a while, partly because it was interrupted by the turbulent year that we spent on Bill No. 2491, but we also took a lot of time to educate ourselves because the problem is such a complex one. We heard from speakers, such as Paul Brewbaker and David Arakawa from the Land Use Research Foundation. We did tours of the affordable housing projects that have been built and are in operation on Kaua'i, learning from them. We also did a review of the history of affordable housing on Kaua'i so that we could learn what worked and what did not work. With that common basis of knowledge, we have been crafting what I think is a very significant and workable policy for affordable housing that will accelerate the production of affordable housing on Kaua'i. We are almost complete with the committee report and the bill draft and I will be very happy to pass that on to the new committee. I just have one concern and that is that there seems to be an imbalance of people who are the service providers, who support the families that need the affordable housing. We have a lot of developer/landowners and a lot of government agencies, but as far as service providers, the only one we have on the Resolution right now is Kaua'i Habitat for Humanity. So I do have an amendment that I want to propose that would add on Catholic Charities of Hawai'i, the HUD-VA Supportive Housing (VASH) Program, and these are termed in terms of representatives, so there is no person necessarily, but a position from those agencies because I think we need to include them. They have a lot of valuable information and perspectives. I think it will strengthen the committee.

Councilmember Yukimura moved to amend Resolution No. 2017-27 as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 1, seconded by Councilmember Chock.

Councilmember Chock:

I do have a question for the introducer.

Council Chair Rapozo:

Go ahead.

Councilmember Chock: Chair, I seconded for discussion and courtesy of our past Housing Committee Chair. Councilmember Yukimura, you are asking to input additional representatives to the advisory committee that represent these organizations. Is that correct?

Councilmember Yukimura: That is correct.

Councilmember Chock: For what purpose again?

Councilmember Yukimura: These are the organizations that work with the families that need affordable housing. They also work with homeless and they have a very important perspective to include in the discussions.

Councilmember Chock: Okay.

Council Chair Rapozo: Any other discussion? Councilmember Kaneshiro.

Councilmember Kaneshiro: Were these organizations on your original housing task force?

Councilmember Yukimura: A couple of them were, like the Catholic Charities of Hawai'i, Easter Seals, and the Hawai'i Housing and Development Corporation.

Council Chair Rapozo: Councilmember Chock.

Councilmember Chock: For the record, I see value in who you have chosen in this amendment. I think my bigger concern, and I would like to hear from the Chair, is that this is a team that he is trying to pull together. I do not want to undermine his leadership in this as well. I want to hear if it is valuable for him to support it, given the direction he is going.

Councilmember Brun: For me, I have no issues supporting this and getting these nonprofits and service providers also on the committee. I have no issue with it. I will support the amendment.

Councilmember Chock: Okay.

Council Chair Rapozo: Obviously, I am not going to participate in the Committee simply because of the Sunshine Law, but the housing policy is for the development of affordable housing. It is working with the developers and landowners. That is the idea. I remember a long time ago, former Chair Kaipo Asing back then told us, when we were going through the housing policy many, many years ago, he said, "You folks are going to make this thing so tough that nobody is going to build and you are not going to get affordable housing." A wise, old man once told me that, and he was right. The County does not have land, developers, or contractors, so we have to rely on landowners and developers if we

want to see any significant or impacting number of affordable housing. Yes, the County can go put up six (6) here or eight (8) there, but that is not going fix it. What is going to fix it is when a developer can come in and build us two hundred (200) units, three hundred (300) units, or four hundred (400) units. That is what this Committee is about. The Committee has no restriction or prohibition from bringing in resource people. If they want to bring in someone from Catholic Charities...Catholic Charities provide a very, very valuable service of placing people in homes. This is not a "homeless resolution" or a "homeless committee." This is an affordable housing policy committee. We need to get affordable housing built. Once the housing units are built, then we rely on our service providers to get people in the homes. I do not want to stall this thing any longer. I want this thing to happen. I want that policy here in six (6) months. Again, if the Committee needs to be briefed on...I think we all know that we have a homeless issue. I think we all know that we have an affordable housing issue and I think it is vital that this Committee gets educated, for the new ones especially, and even for the Committee Chair, that they be educated. Nothing prohibits this body from asking Catholic Charities to come here and do a presentation or asking any of these other groups to come in and do a presentation. I want to focus this discussion on and I am hoping that you folks can take this down the road of getting it accomplished. In other words, "Landowners, what do you folks have to offer? Developers, what do you have to offer?" Where does the County fit in? What kind of incentives can we provide that will get these housing units built? We cannot expect the developer to say, "Yes, we are going to be a good steward. Here are your four hundred (400) units." That is not going to happen. There has to be a balance and that is where I think we need to work on and go down that road, getting these things built before we worry about putting people in. If we build four hundred (400) units today, we would fill them. If we booked one thousand (1,000) units today, we would fill them and we would rely on these agencies to help us, but I am looking for a policy that we can adopt that will trigger the landowners and the developers to work with the County in getting these units built. I will leave it up to you folks. If it is the wish of this body, that is fine. I will support it. Councilmember Yukimura.

Councilmember Yukimura: I think you will be glad to hear that the draft that we have developed actually cuts the developer requirements in the present law to half because what we are looking for from the developer is land and off-site infrastructure and the County would build the units. So we are actually taking on some of the developer obligation, in exchange for some of the policies that we need to perpetuate long-term housing. The draft that we do have now does address some of those concerns and we were very sensitive to and concerned about what the obstacles are to the private sector developer.

Council Chair Rapozo: Thank you for that. Do not get me wrong, I am not suggesting that we give away the store. I am not suggesting that at all, but I am suggesting that we really look into this thing for the balance with a deadline of

six (6) months so that we can actually have that discussion here. Councilmember Kagawa.

Councilmember Kagawa: I kind of agree with your comments, Mr. Chair. I almost thought that the first resolution had too much members, and adding more, I think, just makes it more difficult to come up with consensus on an effective way to get something out to this body to consider, so I am not going to be supporting this amendment. Thank you.

Councilmember Brun: Councilmember Yukimura, did you check with these folks if they were willing to be on the Committee?

Councilmember Yukimura: I wanted to give you the privilege of doing that, but I know they are very concerned and they want to be part of the discussion. I want to say that we need to have that viewpoint around the table. It is not like a resource person. They need to be actively involved in the discussion. It may turn out if you ask them that they do not...I am willing to go and ask them, but I wanted to leave that prerogative to you out of courtesy to you as the Chair. I did not want to specify anybody. It will be up to them, too, whether to participate or not.

Councilmember Brun: With that and talking to staff, I think we are going to have to just wait on this amendment and ask them first and we can always add them on. If we do put them on now and they do say "no," then we are going to have to come back and we are not going to get anything accomplished. We can always add these names after we talk to them. For now, I am not going to support this.

Councilmember Yukimura: That is one of the reasons we did not put any names on it.

Councilmember Brun: But I am talking about the groups themselves...I am not talking about names, but just the agency itself.

Councilmember Yukimura: Right.

Councilmember Brun: We can always add them on after we talk to them.

Councilmember Yukimura: The way we did it the last time is that we put all of the names on and there was some attrition. If they cannot come, they cannot come, but it did not require another amendment or another resolution. If you want to move quickly, that will be the fastest way to do it. Just include them and then follow-up and see. Otherwise, you have to come back for another resolution.

Councilmember Brun: I guess my question is if we do put them on and they do not want to do it then...

Council Chair Rapozo: Then you have to do an amendment to take them off.

Councilmember Yukimura: No, it just continues without them coming to the meeting.

Council Chair Rapozo: The problem with this, if you look at the language, is it "shall consist of the following members." If people quit, that is one thing, but I assumed that they had been contacted, notified, and asked. If that is not the case, then obviously I am not going to support it. I have no problem supporting it if they were willing. I agree with Councilmember Kagawa that that is way too many people, but like Councilmember Yukimura said, with a lot of these meetings, not everybody shows up. I am hoping that it is manageable, but if they have not been contacted or even asked, then I think it is premature and I would suggest we come back with the amendment at a later time. Councilmember Kaneshiro.

Councilmember Kaneshiro: Originally, I was thinking of supporting it, but after knowing that they were not contacted, I would much rather...Councilmember Brun looked at the members and he really took into consideration, "What do they bring to the table? Are we going to be able to get something tangible and move forward on it?" To put these people in without even knowing if they want to do it—I want to give Councilmember Brun the respect to go and ask them if that is what he needs to do and see if they are going to have a tangible effect on moving this policy forward. Yes, it is good to have the Salvation Army on there, but I am not sure what the Salvation Army can bring towards a policy perspective, rather than saying, "This is how many people we help, so can you help us?" I know there is a lot of people...that is the general feeling...that is why we are having these policies because there are a lot of people in need that need help and how do we get policies to build? I look at it and I see that is why he has the team he has. I want him to have members that are going to move the thing forward and given the time to consider, is this going to help move it forward, or do we just have them come in on a meeting and present what are their needs, what do they suggest. Again, Councilmember Chock and Councilmember Brun are on it and I know it is a big task. I think it is up to them how comfortable they are. They currently have twenty-five (25) members and we are going to add another six (6), so that would be thirty-one (31) members...I do not know...I know how difficult it is to get something tangible and I just want to see them build a team that they think is going to be successful to move something forward.

Council Chair Rapozo:

Councilmember Yukimura.

Councilmember Yukimura: If there are not the people that are all stakeholders in this, then even moving forward and without that input, it is not going to be as good as if you have those who know how hard it is to get housing. When you say we are going to require twenty-five percent (25%) versus ten percent (10%), these people know that that difference of...fifteen percent (15%)...what that means in terms of real families and the need. They also know what it means to have transportation costs. They bring a perspective that you cannot get from a developer community. It is about a diversity issue that makes for the better decision. The Mayor said, "We do not leave anybody out." If we are making decisions for people who need affordable housing, we need the agencies that work with them day-in and day-out. If the Committee is too big, you need to take off some from the other interest areas in order to have the balance, but I am not asking for that. I am just asking that we have a good representation of the service providers. I did not contact everybody out of courtesy to the Chair, but I did talk to Catholic Charities and they did say that they want to be on it, so we need to leave them on at least.

Council Chair Rapozo:

Any other discussion? Councilmember Brun.

Councilmember Brun: Thank you, Councilmember Yukimura, for giving me that courtesy. I will meet with Councilmember Chock and we will talk about it. If we are going to do another amendment because Catholic Charities were already talked to and we want to put them on, I will be willing to put them on, but not everybody else until we can sit down and really talk about it and see if we really want all of these other people. I would go ahead and support Catholic Charities to be on.

Council Chair Rapozo: Again, my suggestion is to wait because you are going to add Catholic Charities today and then you are going to have come back in another two (2) weeks. It is not critical that they get added in today. It is not that critical.

Councilmember Yukimura: So you are not going to convene until you settle this?

Councilmember Brun:

Yes.

Council Chair Rapozo: No, I think you can convene with your twenty-five (25) members and start at least the process in figuring out...

Councilmember Yukimura:

Well, if you are going to...

Council Chair Rapozo: Councilmember Yukimura, can you let me finish?

Councilmember Yukimura: I am sorry.

Council Chair Rapozo: That is why it is three (3) years and we do not have anything. I hate to go there, but that is why since 2013 we have not had a product, because of this.

Councilmember Yukimura: Because of what?

Council Chair Rapozo: Because we cannot even agree on this. There is always...I appreciate the courtesy to Councilmember Brun, but I also think that we need to respect the agencies and let them know before we are putting them on a resolution that requires their attendance. This thing says it "shall consist" of these people. We did not even talk to them. They could be watching this at their office right now and saying, "Oh my God, we do not have resources for that. We do not have time." I am speculating, but the courtesy should be on them, too. You do not put somebody's name on a resolution that binds them to a function without talking to them. You do not do that. That is courtesy. Again, this Resolution can get passed today. If the body decides they want to add in, then you can add anybody you want going down the road. If you want to add somebody from the Federal government...add the post office, maybe they want to be part of this. Then you put that on and do an amendment. Do not do an amendment this week and then, "Oh, I talked to two (2) more people," and do another amendment next week. Remember, every time we do something like this, our staff has to do work. I think you get my point. It is very simple. The Committee meets, and then you at least ask the people if they are interested. Then you put them on the resolution. You do not bind somebody on there without talking to them. You do not do that, in my opinion. Councilmember Yukimura.

Councilmember Yukimura: So that is why, if the committee is going to meet, even without an amendment after checking, then we should put Catholic Charities on because we know that they are willing.

Council Chair Rapozo: It is up to you folks. I do not know if the Chair has spoken to them. I know that Councilmember Yukimura said she did. I think that is a decision that the board should make, but it is entirely up to you folks. I am not going to go against what the Chair wants. If he is okay with, I am okay with it. Councilmember Chock.

Councilmember Chock: In light of us moving forward, I do think that we should get this Resolution out today. I think that is important for us. I equally think that those who have been recommended here in this amendment should be

approached. If the Chair is willing to add Catholic Charities today then that is great and we can move on that, but I do also believe that we need to check with them ahead of time, the remaining, and I would anticipate that we do that. I would be happy to, along with Committee Chair Brun, to make sure that occurs. So I will defer to the Chair of this advisory at this point for this particular amendment. Thank you.

Councilmember Yukimura moved to amend the amendment by removing all of the agencies proposed by the amendment except Catholic Charities, seconded by Councilmember Brun.

Council Chair Rapozo: Any further discussion on that?
Councilmember Kaneshiro.

Councilmember Kaneshiro: I am all for what the body wants to do on this, but for me, if I was in charge, I would actually want to hear from them and say, "This is the conversation we have had. This is what we are trying to do. You folks want to be a part of this." We do not know what they agreed to. I do not even know if they know what they agreed to. If you folks are comfortable adding it then I am all for voting for it.

Council Chair Rapozo: Any further discussion? Do you want to testify?

Councilmember Brun: Can we open it up for public testimony? I am going to make a call to Catholic Charities right now, just to make sure they are good before we do this amendment and get them on.

Council Chair Rapozo: Whatever you folks want to do.

Councilmember Brun: Just a courtesy because I am the Committee Chair and we are going to do that.

Council Chair Rapozo: Okay. We are right in the middle of a motion. Let me suspend the rules. How many of you want to testify on this? Please raise your hands. Okay. With that, I will suspend the rules. We will take a break for Councilmember Brun to make that call so that he can listen to the testimony.

There being no objections, the rules were suspended to take public testimony.

FELICIA COWDEN: My name is Felicia Cowden. I live in Kilauea. This issue is very important to me. I respect that Councilmember Yukimura is concerned about who is on the advisory committee. I am pleased that

you are going to be looking at the work that has already been done. Where I share her concern is I am very concerned that there are people from the northeast quadrant on that board. My observation is that we have very "Līhu'e centric" decisions that come out of here. The north shore is a key piece of the collateral damage of how expensive housing is. It is almost a motel, west of Princeville, and all over the place we are getting pieced out. People are not going to live in 'Ele'ele if they are from Wainiha. I think what I have watched is that these building codes have gotten more and more substantial, basically all of these strong building codes have resulted in no housing, "houseless-ness." People are living in their cars and children are living in the bushes or on other people's couches. I think Līhu'e has no idea the hardship that is faced on the north shore. I think another thing in the northeast quadrant, farming is a very big issue. People cannot farm in diversified farming if there is not some sort of semi-permanent housing. They cannot afford to put a two hundred thousand dollar (\$200,000) house there to have farm workers living in it. I think we are really missing that. So my concern and my passionate concern is that wonderful people in the development industry will look at the rules and think how we can best afford to do this with complete respect to them. Maybe they can come up with four hundred (400) to six hundred (600) houses, but they are not going to be where we live, "we" meaning the region that I live in. Those people are going to stay in their tents and the woods...they keep getting cut off...people live like criminals and it is ruining lives and ruining children's lives. I want to cry I feel so strongly about it. It is a powerful problem and where I see it really heavy too are mental disabilities, where there are these people who used to be healthy who are not healthy any longer. If they just had infill in these abandoned buildings that we could do a decent job on, then they would not end up in jail. They are sleeping in the bushes with sores on themselves or they are in jail or they are literally dying. I do not see anywhere in the policy that I hear coming up is really addressing both the healthy and the unhealthy, and homeless can be two (2) solid capacity adults, their two (2) kids, and their dog, and because they have a boy, they cannot rent anyplace. My time is up, but I want regional representation and farm representation on there. Thank you.

Council Chair Rapozo: If you have some suggestions for names, I would suggest you pass it on to Councilmember Brun.

Ms. Cowden: Okay.

Council Chair Rapozo: Next. State your name for the record.

MARGIE MERRYMAN: I am Margie Merryman. I am new to attending Council Meetings. I have a background in my former community where I lived where I was a past chair of a general plan update/community activists involved with matters you are discussing right now. I just felt inspired to say what I am about to say, which you may not appreciate, but I like what Councilmember

Yukimura is trying to get going here in wanting to have a committee. I am listening to you folks argue over who is going to be on committee. It is like have your committee, figure out your players, and invite them to the table. I would support you adopting the Resolution because I do know that affordable housing can sometimes be considered an oxymoron with housing being as expensive as it is. I do not know in the General Plan update if there is any addressing about inclusionary housing, because that could be another way to go about offsetting the expense for housing. In my community, we looked after going after federal subsidies to help the developers lower the cost of the housing so that you can bring in lower income people in the neighborhood so you do not have to (inaudible) people of lesser income into poorer areas and you become more of a community in unity. The bottom line is community in unity, getting along, not yelling, not mansplaining, but just working together to try to achieve the goal of looking at how we really can affect a change and create affordable housing in our county. I know it is very challenging, as real estate and development costs are expensive, but I also know that back when I used to be involved, there were resources that you could look at. I used to work with the Catholic Charities at our table, and aside from them addressing the homeless issues, they have a lot of money. It is Catholic Charities, a Catholic church. They are large real estate landowners and I remembered at times we looked at doing exchange of properties for development. Basically, I support Councilmember Yukimura's proposal or amendment. I hope you will just make your changes. Let us move forward and help our community.

Council Chair Rapozo:

Thank you. Anyone else?

Mr. Mickens:

For the record, Glenn Mickens. This is a really good list of people on here, but the one name on the list that really stands out is Ken Rainforth. In my twenty-two (22) years of coming to these meetings, I have never heard of anybody that was as qualified and up-to-date, knowing what he was going to do than Ken. Like you said, Council Chair, I have no idea how many of these people want to be on this thing. Maybe Ken does not...I do not know...but with his expertise and everything in the Housing Agency, I never heard a time when I thought you folks were wasting the Housing Agency's time even to have him testify. What he did, for me, was really outstanding. I believe that the contractor is going to be major person that decides what is going to be done. He is going to have to make a profit. It is that simple. The bottom line is when he rebuilds, he is going to have to be able to make some money or he is not going to build it, whether you give him the land or he gets the land. That is all going to be factored into what is going to be done. I have no doubts that we definitely need low-income housing. With the price of everything else on this island, it is mandatory. Like you pointed out, Council Chair, it goes on and on, and on, talk for five (5) years now and there is still no low-income housing. It has to be taken care of. Thank you.

Council Chair Rapozo:

Thank you. Anyone else?

Mr. Rosa: For the record, Joe Rosa. Hearing talk about affordable—what is “affordable?” Here on Kaua‘i, I do not think fifty percent (50%) of the people would qualify for affordable housing. I, myself did not make an adjusted gross over forty thousand dollars (\$40,000) in my thirty-six (36) years that I worked. Even as a retiree right now, I cannot even come close to it. You folks go in by the moderate of fifty thousand dollars (\$50,000) to sixty thousand dollars (\$60,000) adjustable gross as “affordable.” Come down to Earth. Go do a survey and find out how many people are in that fifty thousand dollar (\$50,000) to sixty thousand dollar (\$60,000) adjusted gross income that would say that the housing today is “affordable.” I, myself as a thirty-year old back then knew what I wanted when the landowners, which was Amfac Properties at that time, went out and made a survey among the plantation or Līhu‘e area of people who wanted homes or land for a home of their own. I was one of those and I went and signed up. I waited about eight (8) years before it was finally made available by Amfac Properties when they extended Molokoa and the Isenberg Tract area. We had to be screened by the Amfac Properties people that were handling the real estate. To qualify, you had to be able to come up with it. At that time, they asked you for a ten percent (10%) down on the cost of the property that you were looking into. You had to come up with that...things like that there. What is “affordable” for this body? You cannot go by what the five hundred sixty-two (562) realtors here on Kaua‘i say is moderate and affordable. As a thirty-year old back then, I would not have been able to afford it and I would not have the home that I have today that was made available, thanks to Amfac Properties, Līhu‘e Plantation, that I have what I have. Real estate is a big business. When I started out, there were only seven (7) here on Kaua‘i. Like I said today, there are five hundred sixty-two (562) people selling real estate on Kaua‘i. If you look in the newspaper...it is flooded...they cannot say there is a shortage. It is beyond the reach of the average person to say that it is affordable. The developers come in—look at Hanamā‘ulu—more than four hundred thousand dollars (\$400,000). The County said they would buy it from them if they cannot sell it at that rate. At what price is the County going to sell it at to say it is affordable? I am speaking for the “average Joe” here on Kaua‘i.

Council Chair Rapozo: Okay, Joe.

Mr. Rosa: That is the thing...be realistic and get this real estate people to come down to Earth. I would see Steve Case because he owns the land around Līhu‘e, Hanamā‘ulu, and Puhi. Thank you.

Council Chair Rapozo: Mr. Bernabe.

Mr. Bernabe: Matt Bernabe, for the record. Before I start, I would just like to say that even when you disagree with somebody, you should always be respectful and cordial and not attack their position. I do not approve of

anybody attacking opposing opinions of you Councilmembers, personally. With that said, I would like to point out to this discussion that we need to maximize our vertical growth. We need to start encouraging projects that use all four (4) stories and do not have spaces between buildings. Look at Kālepa Village—Kālepa Village is an affordable complex, but it looks like a condominium that belongs in Princeville. That is great and everything, but there is a lot of wasted space that could have been more units within Kālepa Village. They are only duplexes and there is space between the buildings, and then they have a huge recreational center, which is not a problem, and I do not have a problem with amenities, but when we have a shortage crisis, this is space that could have been maxed out. It also puts it into this category where the super elitists do not even want to purchase that. There are certain areas on the island that we could tuck away these vertical buildings and not have them obscure view planes. Kālepa is a perfect one—the backdrop on the back...it would have blended in perfectly to add at least one (1) more floor and close the gaps between the wings. You probably maybe have gotten twenty (20) more units. There is a history of selling out. Look at the one that we are about to lose in 2019, the forty-one (41) units next to Kintaro Japanese Restaurant. That is a bad deal, in my opinion, but the other part about this is that we, as a County, in all areas, has thrown the costs back on the developer, which in turn, has thrown the cost onto the purchaser and the market. Things like the water policy...I love the people at the Department of Water, but I hate the policy of...this is their actual thing, "There is no water source." You either wait or find your own. Therefore, in Moloa'a—let us use Moloa'a as an example—from halfway of 'Aliomanu to halfway of Ko'olau, the County refused to put County water and we have the most wells over there. Do you think if they put a well in they are going to sell it for three hundred thousand dollars (\$300,000)? No way. There are so many private wells in that region that it is not economically and environmentally sound. Two (2) of the wells already shut down because salt water has made holes in the land. This is real. They want to drill more wells. We need to see how we holistically operate. Thank you.

Council Chair Rapozo:

Thank you. Anyone else? Mr. Taylor.

Mr. Taylor: Chair and Members of the Council, Ken Taylor. First of all, what makes housing affordable? The decisions can be made here at this table. We cannot afford to keep subsidizing affordable housing because it falls on the shoulders of the taxpayers. Look at how many affordable housing units we got for the long-haul. From the nine hundred (900) units of high-end housing at Kaua'i Lagoons, how many units did we get? Zero. Former Mayor Baptiste, back in 2006, said that it was time that we needed to start charging developers to provide for the services and issues that the County needed. That has fallen in the basket, in the back shelf. It is not being done. You want to make affordability—rezone some of this land so you that you can build thirty (30) or forty (40) units per acre. That is what makes affordability. If you look at the recent

study that was done across the country, looking at using today's market rates to make affordable housing in Hawai'i and Kaua'i "affordable," you would have to have an hourly wage of thirty-one dollars and fifty cents (\$31.50) an hour. You folks sat here and even refused to give fifteen dollars (\$15) an hour to the people. Where are the problems? We are not zoning properly. We are not setting wages to where they should be. Where is the problem? The problem is right here on your shoulders. It is not out there. It is no magic. Every place in the country is having problems. Middle-class people cannot afford to live in New York City. New York City has millions of houses. You have to solve the problem with the proper tools, which is zoning, zoning, zoning, and requiring the developers to provide long-term, in perpetuity affordable housing. Thank you.

Council Chair Rapozo: Anyone else? If not, I will call the meeting back to order. We are in the middle of the motion to approve the amendment. Councilmember Kagawa.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: I have to correct the last testimony. This Council does not approve of minimum wage hikes. It is the State, again, so that is just another example of barking up the wrong tree. This is not the body that sets the fifteen dollar (\$15) minimum wage; not at all. Thank you, Chair.

Council Chair Rapozo: While we are in the spirit, when you mentioned Kaua'i Lagoons...Councilmember Yukimura, I do not know if you want to make the clarification or if I should. I think it is important that the public gets the right information.

Councilmember Yukimura: Yes. There were one hundred (100) units that were required of Kaua'i Lagoons for the eight hundred (800) luxury units that they are building; however, eighty (80) of them that were built at the Courtyards at Waipouli will expire in affordability in 2019. The twenty-four (24) that were built by Līhu'e Industrial, between the industrial subdivision along Kapule Highway and the Kaua'i Lagoons Golf Course were allowed into the market. It is true that we are only providing affordable housing for just a few years and that does not work at all. That policy is within this body's control. The amendments that are coming out of the advisory committee that I worked with will address that issue, as well as the issue of affordability so that people will have to pay no more than thirty percent (30%) of their household income for an affordable unit.

Council Chair Rapozo: I just wanted to correct the statement that we got zero units. Number one, that is not true, because we did get the units. In fact, we forced the developer to purchase land by Kintaro Japanese Restaurant

because they did not have enough land to build one hundred (100) units. It is not the fault of the developer. The County always has the first right to purchase these units, and we supported the resolution, Councilmember Yukimura, to purchase Waipouli for the five million dollars (\$5,000,000).

Councilmember Yukimura: No, we did not...or maybe we did.

Council Chair Rapozo: I think it passed, but regardless, we did not get the money. That is the opportunity that, I agree, we should not let pass. But the fact of the matter is that we did not allow a developer to build nine hundred (900) units without them building the County some affordable housing. That is simply not true and I think it is important to clarify. The other thing about zoning...I am not sure what the testifier meant when he said "zoning, zoning, zoning." You have to own the land to zone the land. This County cannot go out there and arbitrarily rezone land that does not belong to us. For the members of the public, you are free to say what you want, but those statements go out, it gets printed in the paper, and that is how people develop their positions. The "coconut wireless" is better than any means of communication on this island, anyway. I think that it is important to state the facts. I agree that we should work with the developers and when they come here for a zoning amendment that we should get as much as we can, but we do not have the authority to go out and rezone somebody's land. I think that is a constitutional issue. Councilmember Yukimura.

Councilmember Yukimura: If developers are required as part of our inclusionary zoning ordinance to contribute land, then we will have some land.

Council Chair Rapozo: Correct.

Councilmember Yukimura: That is part of the proposal that is coming out of my advisory committee.

Council Chair Rapozo: Anyway, we are back to the amendment.
Councilmember Brun.

Councilmember Brun: Can I get five (5) minutes to give them a call?

Council Chair Rapozo: Sure. It is about time for a caption break anyway. Let us take ten (10) minutes for a caption break.

There being no objections, the meeting recessed at 10:43 a.m.

The meeting reconvened at 10:54 a.m., and proceeded as follows:

Council Chair Rapozo: We will call the meeting back to order. Any further discussion? We are on the amendment. Councilmember Kaneshiro.

Councilmember Kaneshiro: What amendment are we on?

Council Chair Rapozo: It is on Councilmember Yukimura's amendment for the addition of the six (6) different representatives. Councilmember Brun.

Councilmember Brun: I tried to reach out to Catholic Charities and could not get in touch with anyone, so for now, I will not be supporting this amendment until I can get in touch with them. If not, we can just have them at the meeting anyway. It is not like they need to be on this task force. If they really want their name on there, we can always make an amendment later on. For now, just because I could not get in touch with them, I am not going to put them on. I left her a message. She is on vacation, so hopefully she calls me back and then we can figure it out from there.

Council Chair Rapozo: Councilmember Yukimura.

Councilmember Yukimura: In the discussion, it was, "If you have talked to them, we will include them," and I said I talked to her and she wants to be on the committee. Catholic Charities has a nonprofit housing development, so they are a developer as well. I think it is important to put her on the committee. I met all of the criteria and I do not know what the change is now. First I get criticized for not talking to somebody, and then I get criticized because you have not talked to them. It seems to me that by the first criteria, we talk to them, they want to be on it, and we are not going put the others on. There is no other service provider besides Habitat for Humanity out of this committee of...I do not know how many people. It seems to me that we should at least put Catholic Charities on there. What is the problem?

Council Chair Rapozo: Can I ask you a question?

Councilmember Yukimura: Yes.

Council Chair Rapozo: What is the harm of waiting for the next Council Meeting to do an amendment? What is the harm of this moving forward? You are making a mountain out of a molehill.

Councilmember Yukimura: I was told that you are not going to do an amendment to come back.

Council Chair Rapozo: Right.

Councilmember Yukimura: That is what I was told that there is not going to be an amendment. If there is going to be an amendment, what is the harm of including somebody who has said "yes?"

Council Chair Rapozo: Because the Chair is not comfortable. Councilmember Brun is not comfortable. It is his call. He is saying that he does not want...

Councilmember Yukimura: Well, I know, but he was saying at first and everybody was saying at first that, "If you talked to them, Councilmember Yukimura, then we would approve them." Now, we are saying that I have not talked to them, so we will not approve them. It was like, "Why did you not talk to them?" I would talk to them first. "Why did you even propose this without talking to them," and the one person that I did talk to, you are not wanting to include right away and you might go ahead and meet.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: My understanding was that in the future, he was going to contact these people, see if they want to be on, and if they are comfortable, then they are going to add it and we are going to come back with an amendment. That was my understanding of it. He has not been able to get in touch with the Catholic Charities, so it is reasonable to say, for me, just approve the Resolution as it was originally, give Councilmember Brun time to contact these groups, see if they want to be on it, and then if they do then we can get an amendment that can add those. I do not see what is so difficult about that.

Councilmember Yukimura: If that is going to happen, then that is fine. I think we should include the one that has already been assent to, and for the others do a subsequent amendment. Is that the Chair's intention?

Councilmember Brun: Like I said, I did not talk to them. If we do, we do an amendment and put these people on. I am not going do another amendment after this. We are done. This is it. If we are going to do them, we are going to do them and we are done. If we want to reach to all of these people, then just give me time to reach all of them and if we put them on then we put them on all at one time. If we do Catholic Charities today, which I did not even get a chance to talk to them, I will not introduce another amendment. It is done and we are going to move forward with what we have here. I think we should wait, get rid of this, do it as-is now, bring these people in, talk to them, and see if they want to be on.

Council Chair Rapozo: We are going to take to the vote because this is going around in circles. I think it is clear...I cannot believe we are spending this much time on this amendment.

Councilmember Yukimura: I agree.

Council Chair Rapozo: Okay.

Councilmember Yukimura: Chair, so are we going to take the vote...the amendment before us is...

Council Chair Rapozo: The Catholic Charities.

Councilmember Yukimura: The Catholic Charities.

Council Chair Rapozo: You amended your amendment, so right now what is on the floor is Catholic Charities, adding them in.

Councilmember Yukimura: Okay. I will withdraw that amendment, as long as the Chair will come back in a couple of weeks with an amendment after talking to all the others.

Councilmember Yukimura withdrew the amendment, Councilmember Brun withdrew his second.

Council Chair Rapozo: Okay, withdrawn. We are back to the main motion, which is the original Resolution. We wasted about forty (40) minutes. Roll call.

Ms. Fountain-Tanigawa: Councilmember Brun.

Councilmember Brun: Aye.

Ms. Fountain-Tanigawa: Councilmember Chock.

Councilmember Chock: Aye.

Ms. Fountain-Tanigawa: Councilmember Kagawa.

Councilmember Kagawa: Aye.

Ms. Fountain-Tanigawa: Councilmember Kaneshiro.

Councilmember Kaneshiro: Aye.

Ms. Fountain-Tanigawa: Councilmember Yukimura.

Councilmember Yukimura: Point of inquiry, that was an amendment to amend the amendment, so we are voting on the amendment right now?

Council Chair Rapozo: No, you amended the amendment. We only had one (1) amendment.

Councilmember Yukimura: Right and I withdrew the amendment on the amendment, so that leaves the amendment left, right? This amendment is passing...

Council Chair Rapozo: I wish I had a board to draw this because I think it is easier to follow. You had an amendment and you amended that amendment, so that amendment now is only one (1). You did not have two (2) amendments floating, Councilmember Yukimura. You can only have one (1). So your amendment amended your first amendment, making it the first amendment.

Councilmember Yukimura: And that passed?

Council Chair Rapozo: No, you withdrew it.

Councilmember Yukimura: Yes, and therefore my motion to amend the amendment was withdrawn.

Council Chair Rapozo: Right, so we do not have amendments right now.

Councilmember Yukimura: No, we have the amendment. We can call our parliamentarian. Otherwise, the amendment is passing.

Council Chair Rapozo: There is no amendment, you withdrew it.

Councilmember Yukimura: No, I withdrew my motion to amend the amendment.

Council Chair Rapozo: I do not want to play this game. Recess.

There being no objections, the meeting recessed at 11:02 a.m.

The meeting reconvened at 11:04 a.m., and proceeded as follows:

Council Chair Rapozo: The meeting is called back to order. We are back at the main Resolution and that is where it is going to be.

Councilmember Yukimura: Mr. Chair, I withdraw my first amendment and I believe that was Councilmember Chock's second.

Council Chair Rapozo: Okay.

Councilmember Chock: I will withdraw my second.

Council Chair Rapozo: Okay. We are back to the main motion.

Councilmember Yukimura: Thank you.

Council Chair Rapozo: Any further discussion? Roll call.

The motion for adoption of Resolution No. 2017-27 was then put, and carried by the following vote:

FOR ADOPTION:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Six (6) ayes.

Council Chair Rapozo: Next item, please. We are back at the Communications now.

COMMUNICATIONS:

C 2017-74 Communication (02/27/2017) from the Director of Human Resources, requesting Council approval to indemnify the State of Hawai'i, Department of Education (DOE), for the use of various DOE school cafeterias and restroom facilities for Department of Human Resources testing purposes to include, but not be limited to, the following locations: Elsie H. Wilcox Elementary School, Kapa'a Elementary School, Chiefess Kamakahelei Middle School, and Kaua'i High School, for Calendar Year 2017 and on January 6, 2018: Councilmember Chock moved to approve C 2017-74, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Any discussion or public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to approve C 2017-74 was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Motion carried. Next item.

C 2017-75 Communication (03/02/2017) from the Prosecuting Attorney, requesting Council approval to indemnify the State of Hawai'i for contract 15-DJ-05, for the Drug Nuisance Abatement Unit between the State of Hawai'i Attorney General's Office and the County of Kaua'i, Office of the Prosecuting Attorney: Councilmember Chock moved to approve C 2017-75, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Any discussion or public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to approve C 2017-75 was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Motion carried. Next item.

C 2017-76 Communication (03/02/2017) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal Highway Safety funds from the State of Hawai'i Department of Transportation (DOT), in the amount of \$142,589.00, to be used towards continued funding of 1.00 Full-Time Equivalent (FTE) Traffic Resource Prosecuting Attorney, travel, and training: Councilmember Chock moved to approve C 2017-76, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Any discussion or public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to approve C 2017-76 was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Motion carried. Next item.

C 2017-77 Communication (03/03/2017) from the County Attorney, requesting authorization to expend funds up to \$370,000.00 for Special Counsel services to represent the County of Kaua'i Housing Agency before the State of Hawai'i Land Use Commission in order to file a 201H-38 Petition for the Lima Ola Workforce Housing Project (Resolution No. 2016-53), and related matters.

Ms. Fountain-Tanigawa: We do have an Executive Session later this afternoon regarding this item.

Council Chair Rapozo: Thank you. I know this is going to go into Executive Session, but is there any public testimony on this open session item? If not, we will hold onto that until after the Executive Session. Can we have the next item?

C 2017-78 Communication (03/07/2017) from the Acting County Engineer, requesting Council approval to purchase non-budgeted equipment, a year-end close out model 200 kilowatt (kW) Emergency Generator for the County of Kaua'i's Coco Palms Sewage Pump Station, in the amount of \$78,000.00, as the existing 200 kW emergency generator has failed and is unrepairable, and the current backup 125 kW portable emergency generator is not sufficient to start both pumps at the pump station: Councilmember Chock moved to approve C 2017-78, seconded by Councilmember Brun.

Council Chair Rapozo: Any discussion?

Councilmember Kagawa: I have a question.

Council Chair Rapozo: Go ahead, Councilmember Kagawa.

Councilmember Kagawa: I have a question for the Wastewater Division.

Council Chair Rapozo: With that, I will suspend the rules.

There being no objections, the rules were suspended.

Councilmember Kagawa: Thank you. My question basically, in a nutshell, is explain what happened, why is the smell continuing to be so terrible, and why is the sewer fees not paying for this? Why do you need General Fund

money to fund this? People pay a lot of sewer fees and it is very high, so why are we not using the sewer fees collected to pay for this? Thank you.

LYLE TABATA, Acting County Engineer: Lyle Tabata, Acting County Engineer. Councilmember Kagawa, we are using sewer fees. We are just reallocating moneys that we had in our budget for another purpose for this purpose. The failure of the emergency generator forced us to bring a portable sewage pump to the station, and we had to insert a suction hose into a manhole, which opened and exposed the odors to the community. We tried to seal it as best we could, but it is ongoing until we can get this generator replaced as our backup because we do not have enough capacity to start both pumps and seal the system completely.

Councilmember Kagawa: So how long will the smell continue? What is the estimate for how long the smell will continue to be present?

Mr. Tabata: I will defer to Mr. Tschupp to answer that.

ED TSCHUPP, Chief of Wastewater: Good afternoon, Ed Tschupp, Chief of the Wastewater Management Division. The odor issues at Wailua/Coco Palms have a long history. The hydraulics of the system is working against us. We put in an odor-control unit that I think has made the situation better. There is still additional work that needs to be done. In the near-term, this generator purchase will allow us to seal the manhole back up, and I think it will be probably a month and a half or so to get the new generator on-island.

Councilmember Kagawa: So should the smell disappear for the most part?

Mr. Tschupp: I think that it will be better once we have got this sealed up. I still think that we have more work to do. We are currently in the process of hiring a consultant to look at not just the pump station, but the collection system feeding pump station.

Councilmember Kagawa: So the smell currently is a little better than it was? Because I have windows up, driving past it and it is pretty bad.

Mr. Tschupp: Yes, right.

Councilmember Kagawa: So even being bad now, it was worse?

Mr. Tschupp: I think the odor-control unit has actually made a significant improvement, that thing in that little green shed.

Councilmember Kagawa: Okay. Thank you.

Council Chair Rapozo: Any other questions? If not, thank you. I will say that it has made it a lot better. I live in the Houselots, so coming down in the morning, waiting for the traffic light, sometimes it is unbearable. It is actually a lot better than it used to be. It is bad. I will call the meeting back to order. Any further discussion? I am sorry, let us take public testimony since we have the rules suspended.

Mr. Bernabe: Matt Bernabe, for the record. I do live in the Houselots as well and some days, yes, it is better than others, but it is still there and it is still bad. I recently just saw a lady holding her breath like I do and I thought I was going to have to give her Cardiopulmonary resuscitation (CPR) because she was about to blackout. With that said, while we are on this topic and while we are going through this transition of figuring out the problem and us having to deal with it, maybe we could change the traffic light so that we are not sitting at the maximum amount of seconds on the Houselots side. I go through Hanamā'ulu and those neighborhoods turn on a dime all of the time when I am going through the main thoroughway. So they have a lot of access in Hanamā'ulu to get on that thoroughway while we sit literally for about four (4) minutes.

Council Chair Rapozo: You are saying this because of the smell, right?

Mr. Bernabe: Because of the smell, absolutely.

Council Chair Rapozo: Because that is what the agenda item is about.

Mr. Bernabe: It is the only reason. I do not mind sitting on Kaua'i, listening to my music, but having to hold my breath...three (3) breaths for four (4) minutes is what I am doing right now. I get about three (3) and I am almost passed out by the time the light turns green. It might even help the traffic. For the smell, absolutely. We should not have to endure that smell. Before I run out of time, I also want to say that we have all discussed that they claim that we are not maxing out the Lydgate facility and that they also claim that part of the reason we have had smell in the past is because it is underutilized in the sense of volume of sewage getting there. I have pointed out that they, themselves have talked about breaches in the system. At some point in time, I would like to hear the discussion on identifying these leach fields knowing the volume going out. I would like to have a mathematical statistic of what goes into the system and what makes it to that relay. I do not know if they are capable of those numbers, but I know somewhere in the world that happens; somewhere on the planet, they do it that way. Maybe we could look into that because that might help us holistically as well. Thank you.

Council Chair Rapozo: Thank you. Anyone else wishing to testify? If not, we will call the meeting back to order. Further discussion? Go ahead, Councilmember Kagawa.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: Thank you, Chair. For me, I find it very difficult to understand continuous problems like this where you have odor issues for so long, especially when a lot of fees are paid. The sewer fees are very high, to me, to dispose of waste, but I know it is a complicated system. For the "average Joe" out there that is living paycheck to paycheck and spending money on sewer bills, I think they expect reasonable service. I do not know what the problem truly is and I do not know if we need to seek outside help or advice from Aqua Engineers or whoever, very successful companies that I do not see odor issues with their private sewer treatment plants. Sometimes, I think we need help because this problem has lasted too long and I really feel frustrated when taxpayers ask me when we are going to fix it because it is very bad and what have you. There is no answer. It is very frustrating. Thank you, Chair.

Council Chair Rapozo: Councilmember Chock.

Councilmember Chock: I just want to mention...I think we have asked the question previously to our Department. Again, the feedback that we did get, which is what Mr. Bernabe said, is that it is a volume issue, which means that in some ways they had the foresight to install something that we are not ready to use, so we need to build towards that capacity. I just want to reference that the data is there...I do not want people to feel like there are leaks in it and that is the issue. I think it is a capacity issue. As we grow, I think what I have heard is the gas that is really causing the issue will not be an issue once it is at capacity. I might be overstepping or over-speaking for the Department, but I believe that is the feedback we have gotten over the few years. Thank you.

Council Chair Rapozo: Anyone else? I would agree with the both of you. The only reason this thing is not getting fixed right away is because I think the Wailua Houselots people do not pay sewer fees because we do not have sewer. Can you imagine all of those residents, like Matt Bernabe, driving down there every morning, knowing that you just paid your sewer fees and you have to smell that stink smell every single day? Twice a day? Three times a day? We go, we drive, we smell it, and we roll up the window. You said you play your music loud and I do not know what that has to do with the smell, but it must do something. I will try that going home today. We had that discussion here several years ago. Ed, I cannot remember when you folks came up and did a whole, very technical presentation. I think it was when we contemplated the money or discussed having the money put

in for that temporary, supposedly fixed, which is the...I do not know what it is called...I do not know if it is psychological because it seems like I am the only one that think it got better. Everyone else tells me that it still smells and it is bad. I do not know. Maybe I just got used to it. I agree with Councilmember Kagawa that we have to figure it out. I thought that thing we purchased...it was a significant amount of money that temporary...what was it? A couple of million dollars? Seven hundred thousand dollars (\$700,000)? Okay, close. Apparently, it has not done the trick. I do not want to have to go through another four (4) hour discussion about the sewer. I think we know that we have to put more waste in the system, which means you have to tie-in somebody, which the practical place would be the Wailua Houselots. It is right there. Anyway, we will leave it up to the Committee Chair if he wants to have that discussion in his Public Works Committee. We can definitely do that. Any further discussion?

The motion to approve C 2017-78 was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

C 2017-79 Communication (03/14/2017) from the Mayor, transmitting his Fiscal Year 2017-2018 Budget Message, along with the proposed Operating Budget, Capital Improvement Projects (CIP) Budget, and Schedule of Charges and Fees: Councilmember Kaneshiro moved to receive C 2017-79 for the record, seconded by Councilmember Chock.

Ms. Fountain-Tanigawa: Chair, we have registered speakers.

Council Chair Rapozo: Okay. Let us start with the first speaker.

Ms. Fountain-Tanigawa: The first registered speaker is Glenn Mickens, followed by Joe Rosa.

There being no objections, the rules were suspended to take public testimony.

Mr. Mickens: For the record, Glenn Mickens. You have a copy of my testimony that you can follow and I would like to read it for the viewing public. As my dear friend Ray Chuan used to say, "I am doing this for those people, not you." The Mayor is proposing a two hundred eighteen million dollar (\$218,000,000): two hundred four million dollar (\$204,000,000) operating and fourteen million dollar (\$14,000,000) CIP. Next year, as *The Garden Island* reported, would be the highest in the decade. The lowest budget was recorded for fiscal year 2010-2011 at one hundred forty-seven million dollars (\$147,000,000), so in seven (7) years, we received about a seven million dollar (\$7,000,000) increase in our taxes. What major improvements have the citizens seen for these increases? Absolutely none. Our roads, three hundred (300) miles of them are in horrendous shape. The County is taking in about seventeen million dollars (\$17,000,000) from

gas, vehicle registration, vehicle weight, and utility taxes that are supposed to go for our roads repaving and maintenance. Yet, we are spending about one million two hundred thousand dollars (\$1,200,000) a year of that money for our roads. Sometimes, for two (2) or three (3) years, nothing, about seven percent (7%). Rather than finding out where the bulk of those seventeen million dollars (\$17,000,000), the Administration suggests that we have the right to add a one-half percent (0.5%) excise tax to find more money, more taxes. One major road in the Homesteads, Olohena Road, about five (5) miles long and used by thousands of people daily is in horrendous shape. I believe that it is on the list of repaving schedule until 2018, but the shape that it is in will practically be not drivable by then. Parts of it have not been repaved for over twenty (20) years and the taxpayers who live and use those roads certainly deserve better than that. For political reasons, we have repaved roads that do not need it, with the Keālia Road costing us two hundred eighty thousand dollars (\$280,000) for a private development by Spalding Monument that never happened. Why are we not using Charter Section 3.17 to find out what is happening? As Chair Rapozo has said, "Before overburdening our citizens with more and more taxes, let us find out the waste in our system and correct it before burying our taxpayers more and more." In his budget for fiscal year 2017-2018, the Mayor does not even mention the biggest problem on Kaua'i, which is traffic. We spend a lot of money on consultants and planners that tell those in power what they want to hear, like adding bike lanes, more buses, sidewalks, and shuttles to cure our traffic problem; a solution that is a huge myth. One major fact that so-called traffic cures are a myth is at the mass, not a small minority of the people, including all of you Councilmembers, will never abandon your vehicle for work, for a necessity, for shopping, and simply for convenience, you will not use that vehicle. As I wrote in the paper, the pilot program that was done with one thousand five hundred (1,500) County employees getting free bus rides to take vehicles off the roads...

Council Chair Rapozo: Glenn, I have to stop you.

Mr. Mickens: Can I have another three (3) minutes if I come back?

Council Chair Rapozo: Yes.

Mr. Mickens: Thank you.

Ms. Fountain-Tanigawa: Joe Rosa, followed by Matt Bernabe.

Mr. Rosa: For the record, Joe Rosa. Again, this salary thing comes up time and time again. I have not heard what the increases are for the bargaining units. Anytime the bargaining units get raises, they go three (3) years, one and a half and one and a half. All they have is three percent (3%). I see

in the paper, the Housing Director with an eleven thousand dollar (\$11,000) raise and the Deputy Director of Parks & Recreation with eleven thousand dollar (\$11,000) raise. The thing is why can it just be one thousand dollars (\$1,000) or one thousand five hundred dollars (\$1,500) a month? This kind of stuff...it is rank and file personnel that do the back work. They stay in a nice air-conditioned office...how many men do they have under each department? I know the Kaua'i Fire Department and the Kaua'i Police Department have a big department of men under the supervision of the Chief. How can it be justifiable by the Commission to look into salaries and stuff? Even for Council Chair—you got a raise, but would one thousand five hundred dollars (\$1,500) be sufficient and the Council one thousand dollars (\$1,000)? They cannot afford in paying more taxes. The money for all of the Administration and personnel comes out from the taxes again. It is high time you stop bleeding the people. Mayor Caldwell in Honolulu just announced this morning, too, that he is not taking a pay raise because of the economy. That is the same thing on Kaua'i. We are not living like duchess people on Hollywood Ridge or places in California. Let us be realistic. We have things to be done; we take care of the projects and the wide list of priorities. I have heard time and time again, year-in and year-out, the number one priority is infrastructure. It is still infrastructure. What causes all of the problems with infrastructure setbacks? It is the bike path that costed so many millions of dollars. I can verify it because when they started in 2004, we are supposed to have pavement in Lihu'e done, but did not come about until 2014, ten (10) years later. You have to go by whatever resolutions and priorities you have and stick to those things there. Right now, it is new infrastructure, but it still has not been settled. How many years? It is going on and on and on. When is it going to stop? You are bleeding the people of Kaua'i. We have to pull another Boston Tea Party around here. Thank you.

Council Chair Rapozo:

Thank you. Mr. Bernabe.

Mr. Bernabe:

Matt Bernabe, for the record. I wrote "taxes" on the paper because I realize it is the budget, so it is all combined. I know we have another couple of agenda items with resolutions and taxes coming up, so I am going to tie it all in and hopefully I can get it all out. For me, my real property tax, by going up nineteen cents (\$0.19) for this budget, is going to be almost about eight hundred dollars (\$800) to nine hundred dollars (\$900) more. I do not have a problem with that, personally. I probably will be able to afford that, quite honestly. Not probably, I will. I want better representation for my money. I know there are some resolutions coming up to try to ensure that or at least to get us on the right track. I want, as a body, to have the discussion of hiring qualified department heads for every department that does not already have one. Some of the departments require it. Look at the Police and look at the County Attorney. You are not going to hire a carpenter to run the Police Department. You should not be hiring English literature degrees to be running Human Resources (HR), or an electrical engineer for the Solid Waste Division, or anything like that that the

Mayor says, "I know because I know." He has come up here and he said, "I have the best because I say I have the best." In language, I would like to see some resolutions, bills, or whatever you have to do to get out there, language that puts objective standards, concrete standards, measurable standards, not subjective standards, "because I said so," into how we hire our department heads and how we run our government business as a whole. My wife is a Hygienist. Every two (2) years, she needs twenty (20) credits of continuous education to retain her state license in her field. Why are we not doing that with our departments? Why are we not doing that with our departments? Why are we not doing this within our own system? That is what I want to see, correlate the raises that we are about to pay as taxpayers in this County, because I will defend this tax raise and I will defend this Administration. I will defend this body if I get a better product. Give me something to defend. I want that. I challenge you folks. Thank you.

Council Chair Rapozo: Anyone else wishing to testify for the first time? Second time? Mr. Mickens, did you want to complete your testimony?

Mr. Mickens: For the record, Glenn Mickens. As I was saying, the pilot program that was done with the one thousand five hundred (1,500) County employees getting free bus rides to take vehicles off the roads was a complete failure. One fifty (50) people or three percent (3%) used that "gift." Just as the shuttle on the north shore was a failure, people are not going to abandon their vehicles. Who is mandating that bike lanes be put along all of our roads? Everybody that I talk to is asking me the same thing. I said, "I do not know...I do not know where it is coming from." When was the pilot project ever done to actually see what usage these bike lanes will have to lessen traffic? Is that not what pilot projects are for? One can drive for one (1) month parallel to the bike lanes and never see a biker, or if one is there, it is for recreation, not transportation. Also, these bike lanes are counterproductive to traffic flow since they narrow our driving lanes. Ask Ray McCormick. A careful look at the bike lanes by the Kukui Grove Shopping Center will show a disaster waiting to happen. There is a three-foot striped lane next to the curb...I have no idea what it is for...and then a striped off six-foot bike lane with vehicles being able to cross it on off-ramps. I have seen vehicles even driving on them. We must have leadership that stops "ready, fire, and aiming," leadership that looks into why the future growth of Kaua'i and plans for it...our General Plan updates have been a joke, as problems continue to worsen by the day. We desperately need alternate routes, like Billy Fernandez once suggested fifty (50) years ago, but was ignored. We need added lanes for our roads, which the contraflow proves will work. Yes, that is the State, but we seriously need to coordinate all we do with roads and highways and stop pointing the finger at each other. Finally, we need a moratorium on any further major projects until the infrastructure is first put in place to handle the added impact. I know that you folks cannot handle all of these problems, they are not yours, but they are somebody's. The Administration back and forth pointing the finger at you folks and

you folks pointing the finger at them...well, it is their job, but it is our job. This is one (1) island or the State, pointing the finger, "That is State highways, we cannot touch that, that is State park, we cannot do this." Let us coordinate these things, somehow, somewhere with our leadership. Thank you.

Council Chair Rapozo: Anyone else wishing to testify? Seeing none, I will call the meeting back to order. The motion is to receive. Councilmember Kaneshiro.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Kaneshiro: I just want to make a quick comment. Starting tomorrow, we are going to be having budget meetings every day for the next couple of weeks. The budget meetings will start at 9:00 a.m. and public testimony is going to be taken first thing in the morning at 9:00 a.m. If you want to testify on the budget meetings, then come by 9:00 a.m. That is just a public announcement. The budget meetings will be going every day for the next couple of weeks, here in the Council Chambers. The question from a member from the public was, "Can you testify on things from the day before?" You have to testify on the agenda items that are on the agenda that day. So look at the agenda, see which ones you are interested in, try to come up with your questions or whatever you want to say ahead of time, and come to the meeting prepared to talk about those agenda items.

Council Chair Rapozo: Councilmember Yukimura.

Councilmember Yukimura: Perhaps you can also announce the public hearing on the budget.

Councilmember Kaneshiro: The public hearing on the budget will be on May 10th at 5:00 p.m.

Councilmember Yukimura: Thank you.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: In a brief nutshell, I am going to give you my observations of the Mayor's comments. Basically, the financial predicament we are in, in having the Mayor propose these increases to property taxes, I think, it stems from the State taking away the County's fair portion of the Transient Accommodations Tax (TAT), which is costing us about thirteen million dollars (\$13,000,000) to fourteen million dollars (\$14,000,000) per year, had we had what we previously had, the same percentage. It has been happening for five (5) years

now. If you multiple that by thirteen million dollars (\$13,000,000), that is about sixty-five million dollars (\$65,000,000). That is a lot of money to this County. It is about one-third of our whole proposed budget. I think for me, what do we cut? How do we cut? When they say that eighty percent (80%) to eighty-five percent (85%) is salary related, it is very difficult. I will give you a synopsis of what happened with Police and Fire. That is a major area that went up. Ten (10) years ago, Police was about sixteen million dollars (\$16,000,000) to seventeen million dollars (\$17,000,000). Today, they are about thirty-four million dollars (\$34,000,000), so they doubled their budget, or beyond...maybe even thirty-five million dollars (\$35,000,000) at this point. So they are going up two million dollars (\$2,000,000) to three million dollars (\$3,000,000) a year and climbing fast. Fire went from thirteen million dollars (\$13,000,000) to now they are at thirty-four million dollars (\$34,000,000), so that went up about twenty million dollars (\$20,000,000). That is about two million dollars (\$2,000,000) per year. If we are really going to have a sustainable future for our budget, we are going to have to address Police and Fire salaries or whether we need to consolidate different groups. I think we need to reduce the size. If they are going to continue to get these overly generous pay raises...their last four-year contract was twenty-four percent (24%) over four (4) years, six percent (6%) per year, for both Police and Fire. You can see basically why the budgets have just gone beyond. Then when you take away what the State has taken away...it is just a triple-whammy that we have been hit with. The only way that we can look to a sustainable future, I believe, is we are going to have to address whether or not the Police and Fire salaries should be the same as the City & County of Honolulu or other big cities. We are a rural community. I think perhaps not as dangerous as Honolulu. Should the pay be the same? I think we need to find that happy place for Kaua'i where we can afford it without just breaking the camel's back and not being able to do anything that is out there that is in need. We are in some tough times. We will definitely look at every measure we can, cutting our budget before approving of the Mayor's nineteen percent (19%) across the board increase. Remember, five (5) years ago, this Council removed the property tax cap and that cap kept property values at a very reasonable price, I believe, because your property bill could not go higher than two percent (2%) over the prior years. Now, with market values going crazy all over the nation, the property tax...so we took away the cap and now we are on an ad valorem system, which uses the market to justify property taxes. It is already high. Property taxes are already high and the Mayor is proposing to increase every property tax category nineteen percent (19%) more?

Council Chair Rapozo:

Nineteen cents (\$0.19).

Councilmember Kagawa: I mean nineteen cents (\$0.19) more...that is the last resort action, but maybe we are in that last resort and maybe we have to approve it. We will see. Time will tell. I do not want to make comments to *The Garden Island* about my feelings and plan about the budget. I think that is why we

have the budget proceedings. Let us go step by step and make good, sound decisions on this Council. Thank you, Chair.

Council Chair Rapozo: Thank you. Anyone else? I will agree with everything that Councilmember Kagawa has said. I think the nineteen cents (\$0.19) per thousand is pretty significant. Some may think that it is only nineteen cents (\$0.19) per thousand, but if you do the math, I think Matt said his is going to go up eight hundred dollars (\$800) to nine hundred dollars (\$900) a year. Some people do not have eight hundred dollars (\$800) to nine hundred dollars (\$900) a year. Maybe Matt can absorb that, but some people cannot. Some people are already maxed out. We have to realize that just the natural market increases on the real estate on this island over the last year has bumped up the real property tax revenues, I believe, nine million dollars (\$9,000,000). Correct me if I am wrong, Scott. Was it around nine million dollars (\$9,000,000)? Without touching the rate and without affecting the tax rate, this County is going to enjoy an increase in real property taxes of over nine million dollars (\$9,000,000). That is just from the market. Next year, we will enjoy another significant increase because of the market and if this budget passes, also a nineteen cent (\$0.19) per thousand increase across the board. Should all categories taxes be increased equally? I say no. I think the Homestead class, people who live in their homes, should get the break. I think the second homes, the Resort, Transient Vacation Rental (TVR) units should take the bump because they have the ability to generate additional revenue. They can raise their rates and do certain things. They can let go of the yardman and do the work themselves. There are a lot of things that they can do to absorb the increase, but the local family who is living in their home is barely making it and cannot afford another one hundred dollars (\$100) a month for a property tax increase. I am really, really hesitant about that, considering that we are going to enjoy this "bump" in revenues from real property tax. Councilmember Kaneshiro. Did I say something wrong? Please correct me.

Councilmember Kaneshiro: I just wanted to make a correction before it ends up in the newspaper on the amount the nineteen cents (\$0.19) equals. The nineteen cents (\$0.19) equals...I was thinking, "Wait, did Matt say that was his total bill or was that his increased?" I was thinking that maybe it was his total bill because if you have a five hundred thousand dollar (\$500,000), a nineteen cent (\$0.19) increase in the tax will equal ninety-five dollars (\$95) a year.

Council Chair Rapozo: Okay. Maybe his house is worth thirty-five million dollars (\$35,000,000).

Councilmember Kaneshiro: I was going to say, "I do not know if his house is four million two hundred thousand dollars (\$4,200,000)," but if it was four million two hundred thousand dollars (\$4,200,000), then he would have an eight hundred dollar (\$800) tax increase. Maybe the average house is five hundred

thousand dollars (\$500,000), the tax increase would be ninety-five dollars (\$95) for the year.

Council Chair Rapozo: Okay. That sounds more right.

Councilmember Kaneshiro: I just wanted to make a clarification before everyone starts panicking.

Council Chair Rapozo: Thank you. I live one road above Matt and if his property taxes is that high then, "Oh my God, I am next."

Councilmember Kaneshiro: If Matt wants to pay eight hundred dollars (\$800) more, then...

Council Chair Rapozo: Yes, we will take it. I do want to tack on to what Councilmember Kagawa talked about regarding the TAT because I think it is important. A couple of weeks ago, we were dealing with a bill that was going to phase out the TAT over three (3) years. That is not anything more than bullying by the state legislature—bullying, because they can push this bill in there to get everybody concerned and worried that in three (3) years we are not going to get a TAT, which would be devastating for every county. The reason I bring that up is because I have been a very strong advocate for an increased share, our state association, as this County Council has, this Administration has. But unless the people get involved, unless all of you that are watching and every single one of you get involved and call your delegation, it is not going to change. The only thing that will make them change is if they realize that if they continue to do this then they will lose their seat, and the only way they are going to get that message is if the voters tell them. This Council can pass resolutions and we can go up there and pound the table, but at the end of the day they do not care. That is why they draft it and put out the bill to phase it out. They wanted to basically say, "Hey, Hawai'i State Association of Counties (HSAC), knock it off already. You folks have to stop fighting or we are going to take it away." They know they cannot do that, but they did, they put the bill through and of course it did not pass. Now, they took the one hundred three million dollar (\$103,000,000) and right now what is on the floor is they are raising it up to one hundred eight million dollars (\$108,000,000), a five million dollar (\$5,000,000) increase, even though the State has enjoyed close to fifty million dollars (\$50,000,000) in additional revenues from the TAT, not to mention the General Excise Tax (GET) that they collect from every tourist dollar as well. So they are collecting thirteen million five hundred thousand dollars (\$13,500,000) or thirteen million seven hundred fifty thousand dollars (\$13,750,000) from every dollar. That equates to quite a bit of money and they cannot give the counties additional. As I look at this budget, and I know this is going to upset a lot of people, but this County has to have the political will to tell the State, "We are not going to fund your State services. You fund it. You know the airport greeters and the

harbor greeters—you fund it, State. You want to keep our money, you fund it. We are not going to take it out of our taxpayers here on Kauaʻi, raise their taxes so that we can pay for your stinking services. You folks pay for it. We cannot charge for the helicopter because that is a federal silly rule, but we can charge for our firemen's time when we go up to the State trail on a State beach. You pay, State. I am over it." They will come back and say, "Keep it up, we are going to take it away." Well, take it away and we will see how long you sit in that office. I am irritated about this because it seems like every year we fight for our own money. Because of that, the Mayor has to come up and raise our taxes. Then there is the GET—I am not going to support the GET and everybody is going to say, "Mel, you do not want to fix the roads?" My red light is on. Anyone else? The motion is to receive.

The motion to receive C 2017-79 for the record was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Next item, please.

C 2017-80 Communication (03/15/2017) from the Office of the County Attorney, on behalf of the Council, requests authority to approve settlement regarding the claim filed by Darryl D. Perry, Chief of Police, and related matters.

Ms. Fountain-Tanigawa: We do have an Executive Session with this also, Chair.

Council Chair Rapozo: Thank you. We will have that discussion and vote after the Executive Session. Can we move on to the Legal Document, please?

LEGAL DOCUMENT:

C 2017-50 Communication (01/17/2017) from the Mayor, recommending Council approval of a Grant of Pedestrian Access and Parking Easements from CIRI Land Development Company, conveying easements to the County of Kauaʻi: Easements AU-1, AU-2, AU-5, AU-6, and A-1 at Weliweli, Kōloa, Kauaʻi, Hawaiʻi, Tax Map Key (TMK) No. (4) 2-8-021:041, 044-068.

- Grant of Pedestrian Access and Parking Easements

Councilmember Kagawa moved to approve C 2017-50, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Any discussion or public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to approve C 2017-50 was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Next item, please.

CLAIM:

C 2017-81 Communication (03/09/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Michael Anthony Yaris, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i: Councilmember Kagawa moved to refer C 2017-81 to the Office of the County Attorney for disposition and/or report back to the Council, seconded by Councilmember Yukimura.

Council Chair Rapozo: Any discussion or public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to refer C 2017-81 to the Office of the County Attorney for disposition and/or report back to the Council was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Next item, please.

COMMITTEE REPORTS:

PLANNING COMMITTEE:

A report (No. CR-PL 2017-04) submitted by the Planning Committee, recommending that the following be Approved:

"C 2017-50 Communication (01/17/2017) from the Mayor, recommending Council approval of a Grant of Pedestrian Access and Parking Easements from CIRI Land Development Company, conveying easements to the County of Kaua'i: Easements AU-1, AU-2, AU-5, AU-6, and A-1 at

Weliweli, Kōloa, Kauaʻi, Hawaiʻi, Tax Map Key (TMK) No. (4) 2-8-021:041, 044-068.

- Grant of Pedestrian Access and Parking Easements,”

Councilmember Chock moved for approval of the report, seconded by Councilmember Yukimura.

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

ECONOMIC DEVELOPMENT & INTERGOVERNMENTAL RELATIONS COMMITTEE:

A report (No. CR-EDIR 2017-02) submitted by the Economic Development & Intergovernmental Relations Committee, recommending that the following be Received for the Record:

“EDIR 2017-02 Communication (02/13/2017) from the Director of Economic Development, requesting agenda time to have Scott Enright, Chairperson of the Board of Agriculture, State of Hawaiʻi Department of Agriculture, make a presentation on the State’s Bee Pollen Study,”

Councilmember Chock moved for approval of the report, seconded by Councilmember Brun.

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Next item.

There being no objections, Resolution No. 2017-24 was taken out of order.

Resolution No. 2017-24 – RESOLUTION SUPPORTING THE PRINCIPLES OF THE UNITED NATIONS’ CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN: Councilmember Chock moved for adoption of Resolution No. 2017-24, seconded by Councilmember Kagawa.

Council Chair Rapozo: Any discussion or public testimony?

Ms. Fountain-Tanigawa: Chair, we do have registered speakers.

Council Chair Rapozo: With that, I will suspend the rules.

There being no objections, the rules were suspended to take public testimony.

VIRGINIA BECK: Please excuse my voice. This will be conflict free, no aggression. Humor is acceptable. This will be an easy one. This is a resolution from the Committee on the Status of Women. My name is Virginia Beck and I have lived on Kaua‘i for forty-six (46) years. I have been Chair and Vice Chair of the Committee on the Status of Women and I have been an Obstetrics and Gynecology (OB/GYN) healthcare provider for almost forty (40) years, so I do understand women. It is a simple roll of the dice that you possess the gender that you have and all of the benefits that accrue thereby. You did not have a choice. You did not get to choose. That was the deal of the cards. What we know is that discrimination against women is rampant, and in fact, is not illegal in this County. The resolution that we are requesting is to simply endorse what is called the “Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).” It is tempting to think, because most of you are men, that this does not apply to you and it does not impact you, but it does every day. It impacts you economically and it impacts you in the well-being of the women around you. Right now, out of one hundred ninety-four (194) United Nations (UN) participatory nations, one hundred eighty-seven (187) have signed. What we are now requesting is that like other cities and counties across the country and two (2) counties and Kaua‘i, Honolulu and Hawai‘i, that Kaua‘i also stand in support of this. We do not think that just because your genetic inheritance gave you your particular eye color, particular skin color, a particular sexual genitalia, that you should be discriminated against. We are all one (1) people. This is a very simple, conflict-free, time-efficient resolution that will require no great deal of reflection to resolve. I do have a letter from the Hawai‘i State Commission on the Status of Women and I brought copies for you as their testimony. Thank you very much for your time.

(Councilmember Kagawa was noted as not present.)

Council Chair Rapozo: Thank you.

Ms. Fountain-Tanigawa: Chair, the next speaker is Savita Agarwal.

SAVITA AGARWAL: *Aloha.* For the record, my name is Savita Agarwal. I would like to thank all you for your services. Today, I am here to testify on behalf of the CEDAW Resolution and it just basically condemns all forms of discrimination against women and it ensures the equality in various areas, like work and political and social sectors. Just to make it very simple, I am not going to go into legal aspects, but I think we all have females in our lives that we love, respect, and adore, like our mothers, aunts, sisters, daughters, and wives. We can simply ask ourselves this question: "What would I want for her?" That is our answer. We certainly do not want our loved ones to be discriminated against. So passing a resolution or bill is only half the battle. Even though it is passed, we still need to put it into practice. We have to make a conscious effort to make sure that we are following what we have passed. I want to keep it very short and simple because I know you folks have a very long day. Thank you.

Council Chair Rapozo: Thank you. Anyone else?

Ms. Fountain-Tanigawa: The next speaker is Margie Merryman.

Ms. Merryman: *Aloha.* I am Margie Merryman. I appreciate the opportunity to speak before all of you. I do recognize that as public servants, it is not easy doing what you do, getting rattled by a lot of public testimony, and things being said to you. It can get rough and I appreciate all of you for what you do for hanging in there. I was inspired to come today to speak, because over coffee, I found out that our County does not have anything on its books or the Charter about nondiscrimination of women, and it is 2017. Over twenty (20) years ago when I was in my early '30s, I got to experience sexual discrimination in the workplace. I was harassed and told I could not be promoted because I was a woman and I worked in a predominantly male industry. I was in management and the men just did not like that a woman was calling the shots. It was really, really difficult. I also have been discriminated against because of my ethnicity of being a Native American and a Latina. I just think it is really important and this is, to me, a real non-issue. Please pass this Resolution and let us send the message to everybody in our County that everybody should be treated equally, regardless of your sexual orientation, race, gender, and ethnicity. It is 2017 and it is really time for the paradigm to change and for us to say that the discrimination against anyone in the work environment is just completely unacceptable. I know that this Hawai'i State Commission Status on Women is talking about CEDAW, which is basically the convention on the elimination of all forms of discrimination against women and girls. I want to take it a next step further, but let us just eliminate discrimination against everybody and just live as a community in unity and do our best to just get along and make it a better place for all of us. Thank you.

Ms. Fountain-Tanigawa: The last registered speaker is Edith Ignacio-Neumiller.

EDITH IGNACIO-NEUMILLER: Good morning Chair and Councilmembers. As you see the Resolution, it is simple and basic. As the women that have come before me to testify also for it, that the County of Kaua'i probably, and I am hoping, that they are not discriminating against women and girls. As a simple support for it, we hope that you pass it. I do want to mention a few of the principles of CEDAW, as you see in the Exhibit A, page number 4, "Economic Development," so equal opportunities for employment to not discriminate, violence against women and girls, providing opportunity, protective and support services for survivors, providing rehabilitation programs for perpetrators, which I think we do at the Young Women's Christian Association (YWCA), all forms of education including vocational, science, technology, training, and you have also heard of STEM, promoting a lot of women and girls to go into those vocational areas, and also housing. Again, we talked earlier about affordable housing and nondiscrimination. I come before you as the Vice Chair of the Committee on Status of Women to approve the Resolution. Thank you.

Council Chair Rapozo: Anyone else?

FELICIA COWDEN: Felicia Cowden, for the record. I also ask you to approve this. I think that sometimes we presume that there is a level of equality, and it has certainly gotten better probably in fifty (50) years, but I am going to admonish this Council. It is hard to watch how the Councilmembers treat our one (1) Councilwoman. There is a very clear tone that is deeply discomforting to watch. When we look at what is happening at a national level with...I am just going to say it...our republican leadership that is in there is very, very powerfully against women and I think that it is important that we have a broad-base of support across the country from all capillaries of the country, all of the little areas to say that we are standing together. A couple of weeks ago, they had "Equal Means Equal" shown at the Kaua'i Performing Arts Center and it was a stunning and shocking presentation of how deeply the American policies against equality are. I really have not contemplated how deep that went without those explanations. As the previous speaker has said, I think really all human beings are equal. I ask that you support this and I ask that you do think about your own behaviors and how you speak publically because it sends a powerful message. Thank you.

Council Chair Rapozo: Anyone else?

Mr. Bernabe: Matt Bernabe, for the record. I support this as well. I have daughters. I recently went to Washington, D.C. and I was a participant with my oldest daughter in the Women's March. The ironic thing about this story that we are even having this discussion...why is this even

necessary...somebody is thinking, "Why do we have to have this?" Believe it or not, I had actual relatives of not just myself, but of my daughters, mock, intimidate, potentially...because I do not intimidate easily...and question why we were involved. The fact that even occurs is why we have to unite and get involved. Yes, there is sexism today. I raised my daughters to be soldiers, not victims. But not everybody is strong enough to be soldiers. There is going to be victims just by default. My youngest is a fighter. My oldest is potentially going to be a business lawyer or at least a high running executive of something. These are aggressive young ladies and even they will face discrimination, but I, as a parent, have trained them to turn it around and use it, but it is not the case in every house or in every person's world. Us strong ones have to stand up for the ones that cannot stand up for themselves. I support this Resolution one hundred percent (100%). There should be zero discrimination against anybody, but in this particular case, it is on women, so I am going to put my support, along with my daughters here. We came today to support this and we hope that you folks get a unanimous vote on this one. Thank you.

Council Chair Rapozo:

Thank you. Anyone else?

BRUCE HART:

For the record, Bruce Hart. I gave the Council these three (3) printouts. First, I would like to say that I have no objection to any group of women and/or men, organizing in order to better the lives of women. But there is much more to this, what you are being asked to do today, than it may seem. The United Nations Convention on the Elimination of All Forms of Discrimination Against Women, CEDAW, has gone before the United States Senate and its committee on foreign relations. It is a very complex issue that has to deal with constitutional questions, as well as others. I would just ask that you thoroughly inform yourselves, especially in regards to earlier testimony and regards to what a resolution by this body really is, a policy statement. In regards to what was said on the post office, I would echo all of that and emphasize that in regards to this. It says here in Exhibit A, just within the time limit, that "Counties that ratify CEDAW are mandated." That is on the first page. I did not have a chance to give you this, but this is the original United Nations document that generated this. I would have to be an attorney to understand all of this. Councilmember Kagawa spoke of ramifications of this body issuing a policy statement or resolution in regards to federal business. I have a lot of respect for the United States Senate and for the men and women who are on the committee for foreign relations and I think they have a lot more expertise on this than I do and they are unwilling to ratify this. I think that we should really consider that. Thank you.

Council Chair Rapozo:

Thank you. Anyone else?

BAILEY BERNABE:

Hi, I am Bailey Bernabe. On the issue of discrimination, even high school students have seen this as a problem and are

taking a stance. At Kapa'a High School, we have a club called "Club Spectrum" and that deals with women's rights, Lesbian, Gay, Bisexual, Transvestite (LGBT), and bullying, and we actually all wrote letters to Governor Ige on this issue. I am speaking for the club now, but we also support this Resolution.

Council Chair Rapozo:

Thank you. Anyone else?

Ms. Beck: Virginia Beck. I have been here on this planet longer than some of you and have been involved with issues that confront women for a long time. We still do not have an equal rights act in this country. Women are not equal in this country. Race is equal, women are not. I think the fact that the City & County of Honolulu and the County of Hawai'i have been able to consider all ramifications of everything involved in this convention and felt comfortable enough with it where in communities where it might even have larger impacts, I think Kaua'i can stand with them and align with them in confidence that many, many more minds and legal people, professional people have already reviewed this before they can take their stand and endorse this and pass similar resolutions endorsing CEDAW. Therefore, I urge you not to create another thing that is going to take up ninety-five percent (95%) of your energy for five percent (5%) of your benefit, and rely on the experience and the training of others who have seen fit to do this. The fact that the United States has not signed this and endorsed it does not mean that it is not an ethical right and moral choice. It has impacts on women. I tried to look up the phone information for someone who works for the State Department of Land and Natural Resources (DLNR), so failing all other methods, I went online and looked through the entire roster of personnel. Fortunately, I am trained to speed read. It only took me about thirty-five (35) pages to realize how few women bring to any job that did anything more than secretarial or administrative services. There are no policymakers, there are no decision-makers, and there were no experts. Women are vastly underrepresented. A simple roll of the dice or flipping of a quarter would tell you that this room should have about a 50/50 split on gender in office. It does not happen. We can make it safer for our daughters and our granddaughters.

Council Chair Rapozo: Thank you. Anyone else? If not, I will call the meeting back to order. Any discussion? I wanted to bring up the attorney because I think it was the first testimony that referenced the County not having any kind of rules on discrimination, but I wanted to ask the attorney to address that issue because I believe we do. I will suspend the rules again. Mr. Trask.

MAUNA KEA TRASK, County Attorney: *Aloha.* For the record, Mauna Kea Trask, County Attorney. I just wanted to clarify some statements that were made on the record because I do not want the public or officers/employees of the County to get the wrong impression of certain things made. I am not saying that anything was made with malintent, but I just want to state some things clearly.

Under the Fourteenth Amendment of the United States Constitution, all citizens are guaranteed equal protection of the laws. Pursuant to the Fourteenth Amendment, amongst others, the Civil Rights Act of 1964, which is public law 88-352, was enacted on July 2, 1964 and signed by President Lyndon Johnson. That prohibits the unequal application of voter registration requirements, racial segregation of schools and at the workplace, and outlaws discrimination based on race, color, religion, sex, or national origin. This is also fourth under Title VII, where it would specifically enforce Title VII of the Civil Rights Act. Furthermore, under the Hawai'i State Constitution, Article 1, Section 5: "No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry." Under Hawai'i Revised Statutes (HRS) Section 387-2, it is an unlawful discriminatory practice for all employers, which includes the County, to discriminate because of race, sex, including gender, identity, or expression, sexual orientation, age, religion, color, ancestry, disability, marital status, arrest and court record, or domestic or sexual violence victim status, et cetera. I have not seen this Resolution and I am not speaking to its merits at all or trying to influence anyone regarding how they vote today. I want to make it clear the fact that there is not a Kaua'i County Code provision regarding these matters does not mean that anyone in the County is allowed to discriminate because of sex, race, gender, national origin, sexual expression, et cetera. So to everyone, do not do it, regardless of something in the code or not or regardless of whether this Resolution passes or not. It is illegal under Federal and State law. I just want to make that abundantly clear. That is all.

Council Chair Rapozo: Thank you. You said you have not reviewed this Resolution.

Mr. Trask: No, I have not.

Council Chair Rapozo: Or the attached exhibit?

Mr. Trask: No.

Council Chair Rapozo: Thank you. I will call the meeting back to order. Further discussion? Councilmember Kaneshiro.

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Kaneshiro: I agree, I think we already have rules regarding discrimination on race, age, and sex, and just some things in here seems like it was more centered towards the State, like the healthcare, "It shall be the goal

of the County to ensure that women and girls receive appropriate services in connection with prenatal care, delivery, and the post-natal period, granting free services where possible, as well as adequate nutrition during pregnancy and lactation.” I was wondering what our obligation is.

Council Chair Rapozo: I do not know. That is why I asked Mauna Kea if he had reviewed the Resolution. I apologize because I did not...I read the Resolution, but I did not read the exhibit. I read the exhibit today and there are some things that bind the County to certain roles and I want to make sure this gets addressed by...I understand the public saying that Hawai‘i Island and Honolulu has already passed theirs, but I just want to make sure that this is reviewed by our County Attorney before we take action.

Councilmember Kaneshiro: I have no objections to providing these kinds of services, but we really have to look at where the separation of services is because I would say this is like a State function, compared to a County function.

Council Chair Rapozo: There were a couple of these paragraphs that come with a price tag that I think we have to be cognizant of. Just take a look around. I think the males get discriminated against in the Office of the County Clerk. I understand what the testimony was and when you look at thirty-five (35) pages of DNLR positions, rarely will you come across a female, anything outside of the clerk or clerical side. That is not right. I think we have to keep that in mind. Anyway, that would be my suggestion that we refer this to the committee next week. I do not know how long Mauna Kea will take to review this. Two (2) weeks? Okay, so we can defer it to the next Council Meeting. Councilmember Yukimura.

Councilmember Yukimura: Given the dialogue on the post office, I think we are coming to the fact that the Resolution is a non-binding stand and affirmation, and I think it is very clear when we think about the women in our lives, like our daughters, granddaughters, wives, girlfriends, and the women in our work world, that we just have to take a strong stand against discrimination against women. If any of you saw the movie “Hidden Figures,” which is based on a true story about brilliant women, who happen also to be women of color, who contributed significantly to America’s space achievements, you really realize that when we discriminate, we limit not only individuals, but we actually limit society because we deprive ourselves of the gifts, talents, and insights of those we discriminate against. To me, this Resolution is mainly an affirmation that when everyone is free to be the best they can be, that is when we have the best society. I do not see anything wrong with affirming that.

Council Chair Rapozo: Any other discussion? Councilmember Kaneshiro.

Councilmember Kaneshiro: I will make it crystal clear that if the word “women” was replaced with “men,” I would still have the same question on the separation of powers between the State and County and what our obligations are.

Council Chair Rapozo: I think you brought up one of the paragraphs and there is one here in “Economic Development: The County shall encourage and where possible, fund the provisions of the necessary supporting social services to enable parents to combine family obligations with work, and in particular, to promoting the establishment and development of a network of childcare facilities, paid family leave, family-friendly policies, and work life balances.” I just want the attorneys to look at this, not just the exhibit, but with the Resolution, and give us a ruling. Some of these things do not apply to us. Councilmember Yukimura.

Councilmember Yukimura: It was the same thing with the resolution on the fifteen dollar (\$15) minimum wage. It had all kinds of things about family leave and so forth that nobody looked at.

Council Chair Rapozo: I looked at it and that is why I did not support it, because it came with a very tangible, fiscal impact. That was the purpose of me not supporting it. This one does not have that in here. I am not saying that I do not support this. I am asking the County Attorney to make sure. It is not just a piece of paper like some people think; this one, too, because it has the exhibit; this one because it does state that the County “will do” certain things. It is not just a piece of paper. It is a binding piece of paper. That is what I am concerned about.

Councilmember Yukimura: I am not sure it can be binding if we do not have jurisdiction over it. It is fine if you within the want to have the County Attorney review it.

Council Chair Rapozo: We have jurisdiction of providing childcare for our employees. That is completely in our jurisdiction.

Councilmember Yukimura: That is true.

Council Chair Rapozo: But is it something that we can afford to do? That is all I am saying. Some of these things come with a price tag and we just need to know. I absolutely support the intent, of course. I do not think anybody would say that there should be discrimination against women. That is my fault because I should have read it when it came in and I just assumed it was more a philosophical support, and then today I just want to make sure we have those answers. Councilmember Chock.

Councilmember Chock: I did not hear from any testimony that there is an urgency to accomplish this and get it passed, but I think around the table what you are hearing is that there is a lot of support for it. If I was to vote on it today, I would certainly support it, and will most likely, even in its current form support it as it gets deferred. I think it is about comfortability and I think that part of our job is to be thorough. I would support a deferral if that is necessary. Thank you, Chair.

Council Chair Rapozo: Any further discussion? If not, I would entertain a motion to defer and this would take it to the next Council Meeting in two (2) weeks.

Councilmember Kaneshiro moved to defer Resolution No. 2017-24, seconded by Councilmember Brun, and carried by a vote of 6:0:1 (*Councilmember Kawakami was excused*).

Council Chair Rapozo: Next item, please.

Resolution No. 2017-25 – RESOLUTION ESTABLISHING THE REAL PROPERTY TAX RATES FOR THE FISCAL YEAR JULY 1, 2017 TO JUNE 30, 2018 FOR THE COUNTY OF KAUAI: Councilmember Kaneshiro moved to schedule a public hearing for May 10, 2017 at 5:00 p.m., and that it thereafter be referred to the Budget & Finance Committee, seconded by Councilmember Yukimura.

Council Chair Rapozo: Again, that is May 10th at 5:00 p.m. in the Budget & Finance Committee. Any discussion? Public testimony? Mr. Bernabe, you may come up.

There being no objections, the rules were suspended to take public testimony.

Mr. Bernabe: Matt Bernabe, for the record. I would just like to thank Councilmember Kaneshiro for correcting me because normally I pay my property tax through my month-to-month, but I am about to change and I am going to have to be paying it every six (6) months. So when I did my math, I added the eighty-five (85) to six (6) months of my bill. Technically, I will probably have to pay about one thousand seven hundred dollars (\$1,700) a year. You did correct me on my figure and I was trying to cram several points in one (1) agenda item under budget, and everything I said in there pretty much pertains to this as well, in the sense of I would like to see some movement on objective standards on how we run the County. That is the overall theme that I would like to see. I would just like to thank you for pointing out that I only had half the year when I testified earlier. Thank you.

Council Chair Rapozo: Thank you. Anyone else? Seeing none, I will call the meeting back to order. Any further discussion? If not, roll call.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

The motion to schedule a public hearing for May 10, 2017 at 5:00 p.m., and that it thereafter be referred to the Budget & Finance Committee was then put, and carried by the following vote:

FOR MOTION:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6*,
AGAINST MOTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kaua'i, Councilmember Kagawa was noted as silent (not present), but shall be recorded as an affirmative for the motion.)*

Council Chair Rapozo: Next item, please.

Resolution No. 2017-26 – RESOLUTION APPOINTING DEREK S.K. KAWAKAMI AS REPRESENTATIVE AND MEL RAPOZO AS ALTERNATE TO THE EXECUTIVE COMMITTEE OF THE HAWAII STATE ASSOCIATION OF COUNTIES AND NOMINATING ARRYL KANESHIRO TO SERVE AS A BOARD MEMBER OF THE NATIONAL ASSOCIATION OF COUNTIES: Councilmember Yukimura moved for adoption of Resolution No. 2017-26, seconded by Councilmember Brun.

Councilmember Kaneshiro moved to amend Resolution No. 2017-26, as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 2, seconded by Councilmember Chock.

Council Chair Rapozo: The amendment is really to just keep the alternate the same. Councilmember Kagawa is the existing alternate. As I term-out, I will not be a part of HSAC, obviously, in the next term. Councilmember Kawakami expressed interest in taking over HSAC or taking over the Kaua'i representative position for HSAC and this is why we have this here. He would be able to transition back to HSAC in this term. It is bittersweet because I kind of enjoy it, but on the same token, it is also time to pass that torch to somebody else that is going to be able to fulfill the duties.

The motion to amend Resolution No. 2017-26, as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 2 was then put, and carried by a vote of 6*:0:1 (**Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kaua'i, Councilmember Kagawa was noted as silent (not present), but shall be recorded as an affirmative for the motion.*).

The motion for adoption of Resolution No. 2017-26, as amended to Resolution No. 2017-26, Draft 1, was then put, and carried by the following vote:

FOR ADOPTION:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6*,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kaua'i, Councilmember Kagawa was noted as silent (not present), but shall be recorded as an affirmative for the motion.)*

Ms. Fountain-Tanigawa: Six (6) ayes, one (1) excused.

Council Chair Rapozo: Next item, please.

Resolution No. 2017-28 – RESOLUTION REVISING THE COUNTY OF KAUAI RESERVE FUND AND RESERVE FUND POLICY AND REPEALING CERTAIN SECTIONS OF RESOLUTION NO. 2011-77, DRAFT 1: Councilmember Yukimura moved for adoption of Resolution No. 2017-28, seconded by Councilmember Brun.

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion for adoption of Resolution No. 2017-28 was then put, and carried by the following vote:

FOR ADOPTION:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6*,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kaua'i, Councilmember Kagawa was noted as silent (not present), but shall be recorded as an affirmative for the motion.)*

Ms. Fountain-Tanigawa: Six (6) ayes.

Council Chair Rapozo: Next item.

Resolution No. 2017-29 – RESOLUTION SUPPORTING A STRUCTURALLY BALANCED BUDGET FOR THE COUNTY OF KAUA'I: Councilmember Yukimura moved for adoption of Resolution No. 2017-29, seconded by Councilmember Brun.

There being no objections, the rules were suspended to take public testimony.

Council Chair Rapozo relinquished Chairmanship to Councilmember Kaneshiro in Councilmember Kagawa's absence.

(Council Chair Rapozo was noted as not present.)

Mr. Bernabe: Matt Bernabe, for the record. I will just like to reiterate that to get a structurally balanced budget you have to have the right people in the right places. So let us get in objective standards for department heads and qualified positions and let us get some continuous education for some of these departments. In the long run, it is an investment that will bring us sound. Thank you.

Councilmember Kaneshiro: Does anyone else want to testify on this? Seeing none, any further discussion? Councilmember Yukimura.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Yukimura: This is a really major step, as I see it, that we are affirming, moving, and supporting a structurally balanced budget because that is the way to keep Kaua'i sustainable financially into the future. I want to thank the Administration, especially Ken, Ernie, and the budget team for their initiative in getting the Government Finance Officials Association's (GFOA) support and help. I also want to thank our staff who was part of that process. It is very, very important and it is setting us on a good foundation. We will have to really keep the discipline that it requires, but to at least set-up the framework is the first step. I feel like that is what we are doing now. Thank you.

Councilmember Kaneshiro: Councilmember Chock.

Councilmember Chock: I want to also say how supportive I am in the direction that we are moving and I have publically stated how I believe we need to focus on being structurally balanced in every way possible. With that being said, I know that change is not easy and that these goals that we have set before us to reach this balance are going to take some time and effort. I know, as Councilmember Yukimura mentions, having the discipline, but also looking at ways that helps us ease into where we really need to be. I think that is going to be somewhat painful and slow process. Thank you.

Councilmember Kaneshiro: Councilmember Yukimura.

Councilmember Yukimura: I want to also acknowledge and thank you, Budget & Finance Committee Chair, because you have been part of the process and part of the meetings and had really put forth good leadership on this. Thank you very much.

Councilmember Kaneshiro: Thank you. It is a resolution. The power of a resolution will be how stringent we stick to it. This upcoming budget is difficult, especially with a tax increase in it. I think we will put our money where our mouth is. Resolutions pass and we will see how strong we stick to these resolutions and following the resolution. It will be tough budget, but I have all the faith in the world that we are going to get through it and come up with something that we all can deal with and move the County forward.

Councilmember Yukimura: Thank you.

Councilmember Kaneshiro: Roll call vote.

The motion for adoption of Resolution No. 2017-29 was then put, and carried by the following vote:

FOR ADOPTION:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6*,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kaua'i, Councilmember Kagawa and Council Chair Rapozo were noted as silent (not present), but shall be recorded as an affirmative for the motion.)*

Ms. Fountain-Tanigawa: Six (6) ayes.

Councilmember Kaneshiro: Next item.

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2645) – A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017 TO JUNE 30, 2018 (*Fiscal Year 2017-2018 Operating Budget*): Councilmember Chock moved for passage of Proposed Draft Bill (No. 2645) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for May 10, 2017 at 5:00 p.m., and referred to the Budget & Finance Committee, seconded by Councilmember Yukimura.

Councilmember Kaneshiro: Anybody in the audience wishing to testify on this?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion for passage of Proposed Draft Bill (No. 2645) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for May 10, 2017 at 5:00 p.m., and referred to the Budget & Finance Committee was then put, and carried by the following vote:

FOR PASSAGE:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6*,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kauaʻi, Councilmember Kagawa and Council Chair Rapozo were noted as silent (not present), but shall be recorded as an affirmative for the motion.)*

Ms. Fountain-Tanigawa: Six (6) ayes.

Councilmember Kaneshiro: Thank you. Next item, please.

Proposed Draft Bill (No. 2646) – A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017 TO JUNE 30, 2018 (*Fiscal Year 2017-2018 CIP Budget*): Councilmember Chock moved for passage of Proposed Draft Bill (No. 2646) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for

May 10, 2017 at 5:00 p.m., and referred to the Budget & Finance Committee, seconded by Councilmember Yukimura.

Councilmember Kaneshiro: Anybody in the audience wishing to testify on this?

(Council Chair Rapozo was noted as present.)

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion for passage of Proposed Draft Bill (No. 2646) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for May 10, 2017 at 5:00 p.m., and referred to the Budget & Finance Committee was then put, and carried by the following vote:

FOR PASSAGE:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6*,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kaua'i, Councilmember Kagawa was noted as silent (not present), but shall be recorded as an affirmative for the motion.)*

Councilmember Kaneshiro returned Chairmanship to Council Chair Rapozo.

Ms. Fountain-Tanigawa: Six (6) ayes.

Council Chair Rapozo: With that, can you read us into Executive Session? We will come back at 1:30 p.m. and take care of Mr. Cockett's interview for the Charter Review Commission, followed by the Kapaia Swinging Bridge Resolution. Then we will convene in Executive Session thereafter.

EXECUTIVE SESSION:

ES-894 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(2) and (4), and Kaua'i County Charter Section 3.07(E), the Kaua'i County Council requests an Executive Session with the County Attorney pertaining to the process of hiring a County Auditor, and related matters. This Executive Session

pertains to the hiring of a County Auditor where consideration of matters affecting privacy will be involved as they relate to this agenda item.

ES-897 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing on Special Counsel services to represent the County of Kaua'i Housing Agency before the State of Hawai'i Land Use Commission in order to file a 201H-38 Petition for the Lima Ola Workforce Housing Project (Resolution No. 2016-53), and related matters. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

ES-898 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), on behalf of the Council, the Office of the County Attorney requests an Executive Session with the Council, to provide Council with a briefing and request authority for a possible settlement proposal in a claim filed by Darryl D. Perry, Chief of Police, and related matters. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

Councilmember Chock moved to convene in Executive Session for ES-894, ES-897, and ES-898, seconded by Councilmember Yukimura.

Council Chair Rapozo: Any discussion? Public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

Council Chair Rapozo: Roll call.

The motion to convene in Executive Session for ES-894, ES-897, and ES-898 was then put, and carried by the following vote:

FOR EXECUTIVE SESSION:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6*,
AGAINST EXECUTIVE SESSION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

*(*Pursuant to Rule No. 5(b) of the Rules of the Council of the County of Kauaʻi, Councilmember Kagawa was noted as silent (not present), but shall be recorded as an affirmative for the motion.)*

Council Chair Rapozo: With that, we are in recess until 1:30 p.m.

There being no objections, the meeting recessed at 12:31 p.m.

The meeting reconvened at 1:31 p.m., and proceeded as follows:

(Councilmember Kagawa was noted as present.)

(Councilmember Brun was noted as not present.)

(Councilmember Yukimura was noted as not present.)

Council Chair Rapozo: The meeting is called back to order. Can you read the next item, please?

Ms. Fountain-Tanigawa: Chair, the next item would be interviews for the Charter Review Commission, Isaac Cockett.

INTERVIEWS:

- CHARTER REVIEW COMMISSION:

- Isaac K. Cockett – Term ending 12/31/2019

Council Chair Rapozo: You can direct your attention to the right side of this table because I do not know what happened to the left side. Welcome. Thank you for agreeing to apply and being here for our interview. You are being recommended for the Charter Review Commission, which is a very important commission. This is your first time here, so just take a few minutes and start by stating your name for our captioner, and then just give us a brief overview of yourself. We will open it up for questions by Councilmembers. Thank you.

(Councilmember Brun was noted as present.)

ISAAC K. COCKETT: Thank you for the opportunity. My name is Isaac Cockett. I have been on Kauaʻi for the last fifteen (15) years. I am a graduate of Kamehameha Schools, class of 1984, and a 1991 graduate of the University of Hawaiʻi at Mānoa. I graduated with a degree in Political Science and I used that to go into the travel industry. I have been working in the travel industry for the last

thirty (30) years. I have held several general manager positions on-island and in Honolulu. I am currently the General Manager of the Kōloa Landing Resort.

Council Chair Rapozo: Perfect. Thank you very much. Any questions for Mr. Cockett? Councilmember Chock.

Councilmember Chock: Thank you, Mr. Cockett, for your interest in serving and I appreciate the perspective you will bring. I know this is your first round in the Charter Review Commission and I just wanted to hear from you about any specific areas that you have interest in and changes that you thought that we need to look at for the Charter as you move into this position.

Mr. Cockett: Thank you for that question, Councilmember Chock. I really do not have any particular agenda or any issue that I am looking at. I really want to just serve the community and just be a voice of the community. When I think about the Charter Review Commission and how it applies to myself personally—I have two (2) young daughters and I just would like to see whatever I could go to perhaps make a better future for them.

Councilmember Chock: Thank you. We look forward to working with you on this.

Mr. Cockett: Thank you.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: Thank you, Isaac, for being willing to serve on the Charter Review Commission.

Mr. Cockett: Thank you.

Councilmember Kagawa: What high school did you graduate from?

Mr. Cockett: Kamehameha Schools.

Councilmember Kagawa: Okay.

Council Chair Rapozo: Which elementary school did you go to? I am just kidding. Anymore questions for Mr. Cockett? If not, thank you very much. I appreciate you taking the time to come into Līhu'e.

Mr. Cockett: Great. Thank you very much.

Council Chair Rapozo: We will be voting on the appointment on the 12th of April.

Mr. Cockett: Excellent. Thank you.

Council Chair Rapozo: Thank you. With that, can we have the next item, please?

Ms. Fountain-Tanigawa: Chair, we are on page number 6 of the agenda, Resolution No. 2017-23.

There being no objections, Resolution No. 2017-23 was taken out of order.

Resolution No. 2017-23 – RESOLUTION ABANDONING THE KAPAIA SWINGING BRIDGE AND GRANTING ALL RIGHTS AND RESPONSIBILITIES TO AND IN FAVOR OF THE KAPAIA FOUNDATION, KAPAIA, KAUA'I, HAWAII: Councilmember Kaneshiro moved for adoption of Resolution No. 2017-23, seconded by Councilmember Chock.

Council Chair Rapozo: We are going to suspend the rules at this point to get a briefing from somebody in the County. I am not sure who is here to provide that overview. This issue has been going on for way too long. I appreciate you working on this.

There being no objections, the rules were suspended.

LYLE TABATA, Acting County Engineer: Good afternoon. Lyle Tabata, Acting County Engineer. Chair and Members, we are at the point where we are presenting a resolution to transfer the assets, as well as some County funds to the foundation for them to take on this project and repair and maintain moving forward, and I have it provide, I believe, a focal visitor destination and focus of pride for the community and the Kapaia region.

Council Chair Rapozo: Thank you. Any questions for Lyle?
Councilmember Kagawa.

Councilmember Kagawa: Lyle, offhand, how many swinging bridges does the County own and maintain right now?

Mr. Tabata: We have three (3), which we own the access and the property that they sit on.

Councilmember Kagawa: What are the three (3)?

Mr. Tabata: Waimea, Hanapēpē, and Keapana.

Councilmember Kagawa: For Keapana, I was thinking about that and I was wondering if it is ours or if it is private.

Mr. Tabata: It is ours.

Councilmember Kagawa: It seems like it just goes to...it does not seem like it services a lot of members of the community. In fact, the Keapana one seems like it helps just a few members of the community.

Mr. Tabata: I believe you are correct.

Councilmember Kagawa: Are you folks in favor of this Resolution as-is?

Mr. Tabata: Yes.

Councilmember Kagawa: Okay. Thank you.

Council Chair Rapozo: Anymore questions? I do not know if this is for you or the attorney, but is this Resolution all that we need or is there a legal document that is going to have to come up?

Mr. Tabata: I believe so and Mauna Kea can clarify that.

Council Chair Rapozo: Yes, he just nodded, so I will accept that all we need is just the resolution. So the Kapaia Foundation has the bridge and the funding?

Mr. Tabata: Yes.

Council Chair Rapozo: Okay. Anymore questions? Councilmember Kagawa.

Councilmember Kagawa: So if the foundation at any point needs some type of County services, will we still be helping even though we are turning it over to them?

Mr. Tabata: I believe we will still be able to assist and help consult. We have the original drawings and whatever resources, on a case-by-case basis of course.

Councilmember Kagawa: Yes, so we are trying to help them with whatever they may need going forward, as long as we can do it.

Mr. Tabata: Yes.

Councilmember Kagawa: Thank you.

Council Chair Rapozo: Thank you, Lyle. Does anyone from the Kapaia Foundation want to come up and share a little bit of your journey to this point?

JEROME FREITAS: Jerome Freitas. The reason I am here today is because we are talking about the Kapaia Swinging Bridge, and now, we have to talk about what happened in the past. This has been going on for nine (9) years. We had meetings with the department heads, with the Administration for many times, saying that they would actually assist us for getting the bridge done and working on the bridge. We have had meetings over and over again, time and time again, with a lot of "talk," but no action. This has been going on for many years. So now, they want to change everything...the County was going to take the responsibility, but now they want to give it to the Kapaia Foundation, so that means Lorraine will take the responsibility, in a sense. I want to pass this on to you folks. This is dated today the 22nd, but this goes back all the way to 2007, from the beginning, up to now. This is the picture of the old swinging bridge, back in 2008. Can I get three (3) minutes after my first time?

(Councilmember Yukimura was noted as present.)

Council Chair Rapozo: Yes, after everyone goes, you will have another three (3) minutes.

Mr. Freitas: Members of the County Council, thank you for giving me the opportunity to talk about the Kapaia Swinging Bridge. I also wanted to thank Chair Mel Rapozo and Vice Chair Ross Kagawa. My name is Jerome Freitas and I live in Keālia. I can recall the closing of the Kapaia Swinging Bridge. In 2007, because of the safety and the liability and concerns of the County, the County of Kaua'i closed down the bridge. I received a phone call from Lorraine Moriguchi, who lives in Kapaia, near the bridge. One day, Lorraine called me about the importance of the historical factors of this bridge, which was built in 1947. Ms. Moriguchi is in charge of the Kapaia Foundation. In 2008, the members of the foundation met with the Mayor and Administration and the department heads of the Department of Public Works. At these meetings, the committee asked the Administration if they would be willing to help our committee in restoring...

Council Chair Rapozo: Sorry, Jerome, your time is up. You may come back again after the rest testify.

Mr. Freitas: Okay.

Ms. Fountain-Tanigawa: The next registered speaker is Lorraine Moriguchi, followed by Nina Monasevitch.

LORRAINE MORIGUCHI: Hi. My name is Lorraine Moriguchi. I am speaking for the Kapaia Foundation. Before I start, I would just like to ask a question, and you can answer by raising your hands. How many of you Councilmembers have a connection to the plantation era of Hawaiian history? How many had grandparents or great-grandparents or great-great-grandparents who came to Hawai'i between the mid-1800s and mid-1900s in search of a better life? One hundred percent (100%) of you—that is what I thought. Thank you. It is amazing how the plantation era of Hawaiian history has permeated the Hawaiian Islands and become part of Hawai'i's culture and heritage. Whether they were laborers, independent farmers, or entrepreneurs, when they sailed away from their home and family to a faraway place to the middle of the Pacific Ocean, our forefathers all had the same dream of a better life. We are the fulfilment of a dream. Councilmembers, as leaders of our County, you have surpassed the dreams of our forefathers. They would be so proud to see the fruit of their labor. We are proud of you also. Thank you for your service to our community. The Kapaia Swinging Bridge was built in 1948 by the County of Kaua'i for the community of Kapaia for their daily travel to and from work, school, and play. Today, the historic bridge stands as a powerful symbol of an era of Hawaiian history that we want our children and generations to come to always remember. By knowing where we came from, we can appreciate where we are, which enables us to thoughtfully plan for our future. Kapaia Foundation's goal has always been to preserve a tangible piece of Hawai'i's rich history for all to see, touch, and feel. If the County of Kaua'i wants to abandon the historic Kapaia Swinging Bridge, the Kapaia Foundation would be honored to accept it. The Kapaia Foundation would be honored to accept it and restore it to the beauty it deserves in memory of and appreciation to those who made it possible for so many of us to live and thrive on this beautiful island. If this Resolution is passed, the Kapaia Foundation will immediately take steps to rebuild the Kapaia Swinging Bridge. Our local volunteer project coordinator, Ron Agor Architects, is ready to proceed. When construction is completed, we will work to gain public access and easements. We have a local pro bono legal team in place and have already made preliminary negotiations with landowners. As we hopefully near the end of one journey and the start of another, on behalf of Kapaia Foundation, I would like to thank you, Council Chair Rapozo, Council Vice Chair Kagawa, and Councilmembers for your thoughtful consideration of Resolution No. 2017-23. *Mahalo* for your time and continued support.

Council Chair Rapozo: Are there any questions for the Kapaia Foundation. You have been selected as the resource person for Kapaia Foundation because you started Kapaia Foundation and you should get the "Most Patient Person Award." Anyway, any questions for Lorraine? Councilmember Kagawa.

Councilmember Kagawa: Thank you, Lorraine, for your testimony. Is it out of frustration or is it, I guess, just to resolve the problem that you support this Resolution instead of having the County just keep ownership and wait longer for them to get going?

Ms. Moriguchi: This will resolve the problem. We feel we have no other option, so we are taking the option that they offered us.

Councilmember Kagawa: Thank you.

Council Chair Rapozo: Councilmember Yukimura.

Councilmember Yukimura: Lorraine, besides the most patient, I think you should have the "Most Persevering Person Award," too. Thank you for all of your work. So this sum of two hundred thirty-one thousand dollars (\$231,000) will get you where? Will it get you to a restored bridge? Okay. Is it the intention of the foundation to have the bridge be a usable bridge, rather than just a monument that people comes and look at?

Ms. Moriguchi: In time, we have to take it step by step, so the first step is to restore the entire bridge. Then we will work on easements and access.

Councilmember Yukimura: Okay. Do you have the County's commitment to help you in those subsequent steps?

Ms. Moriguchi: They are helping us. I do not know how much they will help us, but they will help us with the preliminary part of the second phase. We have their commitment.

Councilmember Yukimura: Is it two (2) phases that you have or is it more than two (2) phases?

Ms. Moriguchi: Basically two (2).

Councilmember Yukimura: Okay. So the first phase is to restore the bridge and the second phase is to put in place the easements that will allow people to use the bridge as a footbridge?

Ms. Moriguchi: Yes. Of course we have to consider liability, so we have to work on that, too. We have a legal team that will help us on that.

Councilmember Yukimura: Conceivably, for the second phase, you could grant the County an easement over the bridge, and then we, the County, could indemnify you.

Ms. Moriguchi: That would be great. We would love that.

Councilmember Yukimura: I am just thinking off the top of my head.

Ms. Moriguchi: Thank you for thinking of it.

Councilmember Yukimura: I have always had the vision that it would be part of a used path that would be truly restoring the historic nature because that is what it was back then, a really practical footpath for people to get, like you said, to church, work, play, and all of those things. I think I see what the end vision is and I know you have held that forever, and just want to be clear so that we all know where we are moving towards. Thank you so much for taking this over so that it can move ahead.

Ms. Moriguchi: Thank you, and thank you for your support.

Councilmember Yukimura: You are welcome.

Council Chair Rapozo: Lorraine, you said that there is two hundred thirty-five thousand dollars (\$235,000) or the two hundred thirty-one thousand dollars (\$231,000) is sufficient to finish it?

Ms. Moriguchi: That is what we were told by our project coordinator.

Council Chair Rapozo: Okay, so that number came from your side and that will get the bridge restored?

Ms. Moriguchi: Well, that is what we were offered, so we are going to work within that. We can at least do the towers, but we think that we can do the whole thing for that amount.

Council Chair Rapozo: Yes.

Ms. Moriguchi: We never know until we start.

Council Chair Rapozo: Yes. I do not know why, but I should be celebrating today because we are getting that bridge, but I feel so bad that at the way it is going down. I really am. I feel like we failed. Like you said, half of something is better than all of nothing.

Ms. Moriguchi: Right.

Council Chair Rapozo: I just do not know how you are going to get that bridge done with that money. Interestingly, when this all started...I cannot remember how far back already...Jerome's thing says 2007, but for some reason, I am thinking that it has been longer than that. The first estimate that we got to repair the bridge was two hundred fifty thousand dollars (\$250,000), I think, and that was probably ten (10) years ago now...I do not even know...maybe even longer. It seems longer, but it may be only ten (10) years.

Ms. Moriguchi: In 2008, we came to you. In 2006, the bridge was closed and we came to you in 2008.

Council Chair Rapozo: Okay, so about nine (9) years that we put the money in there. Back then, the money was sufficient. Then it went from two hundred fifty thousand dollars (\$250,000) to some on-Godly six million dollars (\$6,000,000) or some ridiculous number. I think that is where the frustration lies. I understand about all of the reasons we could not get it done...I do not believe any of them, but that is what we were told...Americans with Disabilities Act (ADA), you have to build a parking lot, you have to do this and do that. That is such a historical part of this island. Anyway, anymore questions? Councilmember Yukimura.

Councilmember Yukimura: I actually share the Chair's chagrin or concern because like this Resolution says, the County is abandoning its responsibility. That is how I feel. You folks have so generously stepped forward to continue the project. You are a 501(c)(3) nonprofit group, so you are able to receive County moneys, more than just this amount. I think if you find that there is more need to complete the project, you should come back.

Ms. Moriguchi: Thank you, we will.

Councilmember Yukimura: Thank you.

Council Chair Rapozo: Any other questions?

Ms. Moriguchi: Thank you.

Council Chair Rapozo: Hang around because there may be questions afterwards. Thank you.

Ms. Fountain-Tanigawa: The next registered speaker is Nina Monasevitch.

NINA MONASEVITCH: *Aloha.* Thank you. It is a difficult last name, "Monasevitch." I am with the Kapaia Foundation and I just cannot say anything more eloquently than Lorraine did, so I support everything that she said. I live in the area and I love the area. As many of you know, it is pretty magical down there and I have been on the island for about forty (40) years and I know a lot of younger, local people who grew up in the area and used the bridge who are at work today, who would like to come and really support the rebuilding of the historic bridge and would use it if it was rebuilt. So just in speaking on my behalf and others who cannot be here who are working today. Thank you for being supportive of this project, many of you for years, and thank you to the County for coming up with a solution. I agree with the Chair and Ms. Yukimura that it is a little bit disappointing, but here we are and let us move forward and work with what we have and really appreciate your consideration of transferring the funds and resolution over to the Kapaia Foundation. Thank you.

Council Chair Rapozo: Thank you. Next.

Ms. Fountain-Tanigawa: Lilian Watahara.

LILIAN WATAHARA: Hi. I am Lilian Watahara, a member of the Kapaia Foundation. I have been asked today to read a letter from Kirsten Faulkner, who is the Executive Director of the Historic Hawai'i Foundation. This letter is addressed to the County of Kaua'i Councilmembers and Honorable Chair Mel Rapozo, regarding this particular Resolution: "On behalf of the Historic Hawai'i Foundation, I am in support of Resolution No. 2017-23 to transfer the County's ownership and responsibility for the Kapaia Swinging Bridge to the Kapaia Foundation and to provide additional funding for the renovation and/or reconstruction, protection, preservation, and restoration of the bridge. Kapaia Swinging Bridge was constructed in 1948 to connect two (2) communities in Kapaia Valley. The east side was home to the Immaculate Conception Church, a Filipino Camp, Hawaiian and Japanese families, and taro and rice fields. The west side was home to the Līhu'e Hongwanji Buddhist Temple, Korean Methodist Church, Chinese Church, Naganuma Store, Ogata Store, Moriwaka and Ah Chock Store. It is an important symbol of Kaua'i's history, its people, cultures, and events. The Kapaia Swinging Bridge is listed on the Hawai'i register of historic places. The Resolution will provide the Kapaia Foundation with the authority and resources to continue work on the plan to restore or reconstruct the historic bridge. It will give the community the opportunity to complete plans, work with adjacent property

owners, raise additional funds, and become legal stewards of an important part of Kaua'i's heritage. Since 1974, the Historic Hawai'i Foundation has been a statewide leader for historic preservation. HSF works to preserve Hawai'i's unique architectural and cultural heritage and believes the historic preservation as an important element in the present and future quality of life, economic viability, and environmental sustainability of the State. Therefore, Historic Hawai'i Foundation supports Resolution No. 2017-23." She thanks you for the opportunity to comment. Any questions?

Council Chair Rapozo: Thank you.

Ms. Fountain-Tanigawa: The last registered speaker is Marj Dente.

Ms. Dente: Thank you for this opportunity to testify again today. I am a member of the Kapaia Foundation. I do not live there. I live miles away in Kapa'a, but as I grow older, I see so much teardown of historical, visual, important things in this community, in all communities. Today, more than even, this just destroys, in my opinion, a sense of stability and permanence in a community. As I mentioned earlier in my testimony this morning about the post office, we do not really know how valuable this visual stuff is for people, particularly seniors. They love to see something that they grew up with for years and years and years, and pass on to their children and grandchildren. This bridge is one of these wonderful visual images for our entire island, and I know that Lorraine and the foundation are just totally dedicated to making sure that this bridge gets reconstructed. They have had already so many valuable volunteer services to make this happen from the entire community, and because, as it has been brought out, they are a 501(c)(3) nonprofit, I am sure if they think they are going to run out of money and not going to be able to accomplish this, they have the ability to write grants and to further the construction of the bridge. The most wonderful thing is that this is a grassroots endeavor here and how wonderful that is when our own County budget is so strapped with, as you mentioned this morning, so many more important things to do. These people have for years been working on this diligently and come up with enough information to make it happen. I am imploring that you please pass this Resolution and pass the funds on to them. I have complete faith in the foundation and their leaders and I think it is a great project for our entire County. Thank you very much.

Council Chair Rapozo: Thank you. Anyone else wishing to testify? If not, Jerome, you can come back up.

Mr. Freitas: I want to continue. We are talking about the past, the future, and about now. It is about the Resolution to change over that to Lorraine, but like Councilmember Kagawa, it is a lot of responsibility. It is not going to be that easy. We had meetings with the County and they said, "No

problem. We are going to take care of all of that.” Councilmember Yukimura, you know that, too, because you were in the meetings, right? You were in the meetings. They promised a lot of things, but they did not deliver. Now, they want to turn it around and say, “Lorraine can take over.” That is not working for government. You have to work for the government, the people. You are worried about other things that are not important right now. Take care of our local people here first. Anyway, nothing else can be done and it is shame for the Administration to do that, giving all of the responsibility to Lorraine. Like I said, this has been going on for many, many years. Like Council Chair was saying...if the funds are not enough and they run out of the funds, the two hundred twenty thousand dollars (\$220,000), can they come back to the Administration?

Council Chair Rapozo: They can come back.

Mr. Freitas: Okay. If they need any assistance from the Administration, they can come back and ask for help?

Council Chair Rapozo: They can ask.

Mr. Freitas: Okay. Like I said, I am kind of disappointed because this has been going on for nine (9) years and a lot of other places...I am not going to talk about other places, but it is the same thing...a lot of talk, but no action. You folks are being paid...I am not talking to you folks, but the Administration has the opportunity and their job is to make sure that things get done. That is all I have to say. Thank you very much. *Mahalo*. You folks have a nice day.

Council Chair Rapozo: Thank you. Anyone else wishing to testify? If not, I will call the meeting back to order. Further discussion? Councilmember Kagawa.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: Thank you. I wish we could have more pleasant items regarding the Kapaia Swinging Bridge. We just had the Mayor’s budget before us today on the agenda and it is the largest budget in history, two hundred million dollars (\$200,000,000), and proposing to raise property taxes, which already went up because five (5) years ago we removed the cap, so property taxes have been going up anyway because we are using market values again. Then we get reports that eighty percent (80%) to eighty-five percent (85%) are all salaries, not much we can do. Meanwhile, we have these projects like these bridges that are our responsibility. We maintain the Hanapēpē Bridge and the Waimea Swinging Bridge, and we even maintain that Keapana Bridge that services a few families. I

guess just to be put on hold for so long, and then now to turn it over, is just a little disappointing because if we are not going to fix and perform the tasks that are our responsibility, and we are just going to hold off and hold off and hope that the community might take over it, I think it is kind of frustrating. It is kind of embarrassing for us, embarrassing for me, representing the public as an elected official. It is embarrassing for the County. There are expectations that are there and I think we have to step up to the plate and we have to swing the bat. We have to do more. I just happened to be riding with Chair yesterday, the Lāwa'i bypass, and you see a nice walkway, a beautiful...Kukui'ula maintains a portion—that portion is beautiful, and then we reach the part where it is a County responsibility and it is just embarrassing. We are going to keep growing the budget, hiring more people, taxing more areas...we are taxing the cars and property taxes more, and then we cannot do our job...it is pretty frustrating. As it reaches the budget, we will try and be critical and ask tougher questions. I do not know what else we do. How are we going to get to the place where we can say, "We are taxing you more and we are spending more, and we are doing more," instead of, "We are taxing you more and doing less." I do not know. I cannot figure that one out. Anyway, it is frustrating. I thank all of the volunteers and I thank Lyle for being willing to help. We have to move forward. Whatever way he can help will put a little bit more of a smile on our faces, but as far as turning our responsibility over, when we are raising taxes and our budgets, for me, it is frustrating. Thank you.

Council Chair Rapozo:

Anyone else? Councilmember Yukimura.

Councilmember Yukimura: Council Vice Chair talked about stepping up to the plate and swinging the bat—well, it is Lorraine and the Kapaia Foundation that is doing that and we are really grateful to you all. I really want to especially acknowledge Lorraine, who is the visionary and the worker bee, both. You make the connections so eloquently between that bridge and preserving our history and our lives today and what it means. That is such a gift to all of us that you do that, Lorraine. I am looking forward to seeing a restored bridge because that will be the first step. It has been so long and coming, but I can feel like we are getting there, and then we will work on the second part so that our children and their children can use that bridge every day and ever year.

Council Chair Rapozo:

Thank you. Councilmember Chock.

Councilmember Chock: Thank you, Chair. I feel the frustration around the room and with where we are with this particular bridge. While I see that I think it is evidence of sort of the direction that you see government going in this day and age in terms of our inability to keep up with the things that are our *kuleana*, and because of it, you are seeing more and more of the communities stepping up and filling the gaps. You are seeing stewardship agreements and seeing these kinds of engaging of the community. In some ways, I want to celebrate

that because I think it is truly where the heart lives in our community and I think it is telling that you have a resilient community when they respond and they say, "No, we will take it all and get it done." I just wanted to commend that effort. I think we need to support you in any way that we can. While this is a transition out of the County's hands, I think that we also have to keep us on the hook for making sure that we are along the way and I think that in many ways these kind of public entities, nonprofits, have a little more flexibility in accomplishing things that government has barriers with and that is, I think, a plus. I think we all need to get into the same boat and continue to move forward. Do not take the County off the hook here, in terms of getting the work done. We still need to be there and we thank you so much for taking this responsibility on. Thank you, Chair.

Council Chair Rapozo: Anyone else? I have to say, the analogy of stepping of and swinging the bat is a good analogy, but you folks did not swing the bat, you folks got beamed. You got to first base because you got beamed. These comments are not meant for Lyle and Donald. This is before Lyle's time. I comment Lyle and Donald for working with the community and trying to get this thing done. I know Donald put in a lot of work back in the early days. In fact, I think Donald got scolding for giving us the figures that the repair of that bridge was going to be two hundred thousand dollars (\$200,000). If we had done it back then, we probably could have got it done for two hundred thousand dollars (\$200,000). For whatever reason, and I am not going to speculate, but for whatever reason, this was not a priority for the Administration; not the Department of Public Works, the Administration. For some reason, somebody did not want that bridge to be rebuilt, so they continued to stall and stall, hoping the community would go away. But no, it did not. They only made you folks stronger. You folks put that bridge on the registry. You folks formed Kapaia Foundation, raised money, and you folks did not give up. That is why, for me, it is bittersweet today, because I am so happy that this thing is going to get fixed, but yet, I am not supporting the way it is done. I do not think this is how it should be done. I love Councilmember Yukimura's suggestion of the easement, because that will at least put the cost of the liability on the County, which I think it belongs. I do not think you folks should have to cover that. I would have much rather seen a stewardship agreement, like we do with everything else on this island. That is because we want to work in partnership. I really do not like to talk about the "bad" of this project, but like Councilmember Kagawa said, the budget keeps getting higher and the services keep getting lower. Along that road we drove yesterday, there was two (2) accidents on that guardrail, one with all of the flowers...not on that road, but on another road, there are all of the flowers where somebody got killed in a car accident and that guardrail is still broken. The flowers...they are using the broken guardrail as the support. On the bypass road, somebody nailed that guardrail. It is a danger; it is a hazard. It is still there. The walkway is overgrown and it is very hard to sit here and say, "We are going to raise your taxes nineteen cents (\$0.19)," and yet, like Councilmember Kagawa said, more and more of our County function is being neglected. At the end

of the day, I am assuming that this is probably going to be a lot better than if we try to do it, but I am still not comfortable with the way it came out. I obviously will be supporting this Resolution because I think it is the only way this bridge is going to get fixed. I also think that this County, like I think Councilmember Chock said, that we do not get off the hook, the County does not get off the hook with this Resolution. I think that this County should play an important role in helping that. I think people in the Administration back then that were making decisions maybe did not see the significance of this bridge as it relates to the culture of this island. Maybe they just said, "That is only a bridge." I will tell you that if you go and sit down with my Uncle Neil Rapozo and his wife and the old Portuguese and Japanese, all of those people that lived in that valley, and you listen—my Uncle spoke to me for quite a while and I was just amazed at what went on in that valley. There was a whole community. There was every kind of business and he was there. He lived in that valley. "That is just a bridge." Yet, when that bridge goes away, it is gone for good. I guess the Kapaia Foundation is the true heroes in this. I do not know where it will go and I do not know how much this thing is going to cost, but I am hoping that whoever is sitting at this table, when the time comes, will support any request for support. I did get a text from Grove Farm and they support the Resolution and have agreed to the land transfer, and once the subdivision is complete, they are going to convey over the land to the Kapaia Foundation, so you folks will own that thing free and clear. I am excited about that. I have to thank the Administration for being the liaison between Grove Farm, the landowners, and the Kapaia Foundation. My time is running out. With that, any further discussion? If not, roll call.

The motion for adoption of Resolution No. 2017-23 was then put, and carried by the following vote:

FOR ADOPTION:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Six (6) ayes.

Council Chair Rapozo: With that, we are going to go into Executive Session to discuss a few items, and then we will be back in open session. We have to discuss the two (2) items that we have to vote on, and then we will be back out in open session. We will be in recess.

There being no objections, the meeting recessed at 2:18 p.m.

The meeting reconvened at 3:47 p.m., and proceeded as follows:

Council Chair Rapozo: Madame Clerk, can we have the next item, please?

COMMUNICATIONS:

C 2017-77 Communication (03/03/2017) from the County Attorney, requesting authorization to expend funds up to \$370,000.00 for Special Counsel services to represent the County of Kaua'i Housing Agency before the State of Hawai'i Land Use Commission in order to file a 201H-38 Petition for the Lima Ola Workforce Housing Project (Resolution No. 2016-53), and related matters: Councilmember Kaneshiro moved to approve C 2017-77, seconded by Councilmember Brun.

Council Chair Rapozo: Any discussion? Councilmember Yukimura.

Councilmember Yukimura: I will be voting against this because I think the Lima Ola Project violates the General Plan principles and I believe that we can put west side housing in better places.

Council Chair Rapozo: Thank you. Any other discussion? Roll call.

The motion to approve C 2017-77 was then put, and carried by the following vote:

FOR APPROVAL:	Brun, Chock, Kagawa, Kaneshiro,	
	Rapozo	TOTAL – 5,
AGAINST APPROVAL:	Yukimura	TOTAL – 1,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Five (5) ayes.

Council Chair Rapozo: Next item, please.

C 2017-80 Communication (03/15/2017) from the Office of the County Attorney, on behalf of the Council, requests authority to approve settlement regarding the claim filed by Darryl D. Perry, Chief of Police, and related matters.

Council Chair Rapozo: Does somebody have the total amount? I will entertain the motion to approve the settlement up to twelve thousand six hundred two dollars and thirty-seven cents (\$12,602.37), provided the County Attorney's validation of the claim.

Councilmember Kaneshiro moved to approve settlement authority up to twelve thousand six hundred two dollars and thirty-seven cents (\$12,602.37) contingent upon the County Attorney's validation of the claim and supporting documentation, seconded by Councilmember Brun.

Council Chair Rapozo: Any discussion or public testimony?
Councilmember Kagawa.

Councilmember Kagawa: It is just kind of annoying to keep on seeing these types of claims against the County. Everybody and anybody who had served before knew that the Mayor did not have the power to hire or fire the Police Chief and just wasted a lot of money for nothing. Thank you.

Council Chair Rapozo: Any other discussion? With that, roll call.

The motion to approve settlement authority up to twelve thousand six hundred two dollars and thirty-seven cents (\$12,602.37) contingent upon the County Attorney's validation of the claim and supporting documentation was then put, and carried by the following vote:

FOR MOTION:	Brun, Chock, Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 6,
AGAINST MOTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Kawakami	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Six (6) ayes.

Council Chair Rapozo: Motion carried. With that, this meeting is adjourned.

ADJOURNMENT:

There being no further business, the Council Meeting adjourned at 3:50 p.m.

Respectfully submitted,



JADE K. FOUNTAIN-TANIGAWA
County Clerk

(March 22, 2017)

FLOOR AMENDMENT

Resolution No. 2017-27, Relating to Establishing an Affordable Housing Special Advisory Committee

Introduced by: JOANN A. YUKIMURA

Amend Resolution No. 2017-27 by amending Section 1, members of the special advisory committee, as follows:

“SECTION 1. The Affordable Housing Special Advisory Committee (“Committee”) shall consist of the following members: Tom Shigemoto, Ellen Ching, Dennis Esaki, Maryanne W. Kusaka, Ken Rainforth, Karen Taketa, KipuKai Kualii, Russell Kyono, Mark Watase, Dave Hinazumi, Chad Deal, Conrad Morishige, Clifton Kukino, Jan Tenbruggencate, Dee Crowell, Milo Spindt, Representative from the Kauaʻi County Housing Agency, Representative from the Kauaʻi County Planning Department, Representative from the Kauaʻi County Department of Water Supply, Representative from Catholic Charities of Hawaiʻi, Representative from Easter Seals Hawaiʻi, Representative from Kauaʻi Habitat for Humanity, Representative from HUD-VA Supportive Housing (VASH) Program, Representative from Kauaʻi Housing and Development Corporation, Representative from the Salvation Army, Representative from Steadfast Housing Development Corporation, Representative from the Department of Hawaiian Homelands - Kauaʻi District, Representative from Kamehameha Schools - Kauaʻi District, Representative from the State Department of Transportation - Kauaʻi District Office, Arthur Brun, Councilmember, and Mason K. Chock, Councilmember.”

(Material to be added is underscored.)

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(March 22, 2017)

FLOOR AMENDMENT

Resolution No. 2017-26, Relating to Appointments to the HSAC Executive Committee and the National Association of Counties

Introduced by: ROSS KAGAWA

Amend Resolution No. 2017-26 as follows:

1. Amend the title of the Resolution as follows:

“RESOLUTION APPOINTING DEREK S.K. KAWAKAMI AS REPRESENTATIVE AND [MEL RAPOZO] ROSS KAGAWA AS ALTERNATE TO THE EXECUTIVE COMMITTEE OF THE HAWAII STATE ASSOCIATION OF COUNTIES AND NOMINATING ARRYL KANESHIRO TO SERVE AS A BOARD MEMBER OF THE NATIONAL ASSOCIATION OF COUNTIES”

2. Amend SECTION 2 to read as follows:

“SECTION 2. [Council Chair Mel Rapozo] Council Vice Chair Ross Kagawa is hereby appointed as Kaua‘i County Council’s alternate representative to the HSAC Executive Committee for the term commencing on July 1, 2017, and ending on June 30, 2018.”

(Material to be deleted is bracketed. New material to be added is underscored.)

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